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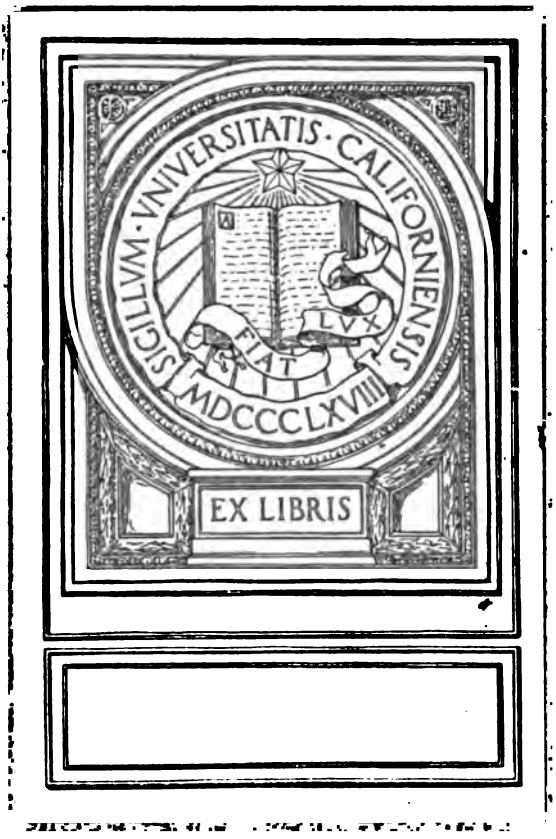
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1807–1815

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BY

PAUL LEICESTER FORD

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ITINERARY AND CHRONOLOGY

OF

THOMAS JEFFERSON.

1807–1815.

1807.—Jan.	1.	At Washington.
		Elected President of American Philosophical Society.
	6.	Burr expedition leaves Chickasaw Bluffs.
	7.	Great Britain adopts Orders in Council.
	14.	Aids Hening in preparation of Virginia statutes.
	16.	Randolph resolution in *re* Burr adopted.
	17.	Burr surrenders to Meade.
	20.	Appoints Rodney Attorney-General.
	22.	Sends message on Burr.
	23.	Senate passes bill to suspend Habeas Corpus.
	26.	House rejects bill to suspend Habeas Corpus.
	28.	Sends additional message on Burr.
	31.	Sends message on Cumberland Road.
		Drafts amendment to Volunteer bill.
Feb.	2.	Cabinet council on British negotiations.
	3.	Notifies British negotiators of disapproval of treaty.
	10.	Sends message on Gun-boats.
	14.	Sends reply to Massachusetts address.
	19.	Spain issues commercial decree.
	28.	Writes to King of Holland.
		Burr arrested.
Mar.	2.	Signs bill to end slave trade.
	3.	British treaty arrives.
	21.	Sends circular letter to State governors.
	30.	Burr trial begins.

1807.—Apr. 1.	Burr released on bail.
	Leaves Washington.
	Arrives Monticello.
May 13.	Leaves Monticello.
17.	Arrives Washington.
19.	Writes Short of his intention to refuse renomination.
20.	Sends new instruction to English negotiators.
29.	Receives French medal for design of mould-board.
June 1.	Frames tariff on French wines.
13.	Subpœnaed to attend Burr trial.
22.	Chesapeake frigate captured.
July 2.	Issues Proclamation against British war-ships.
4.	Cabinet agrees to call Congress.
Aug. 1.	Leaves Washington.
5.	Arrives Monticello.
Sept. 1.	Proposes to seize the Floridas.
	Burr acquitted.
9.	Leaves Monticello for Bedford.
17.	Arrives Monticello.
30.	Leaves Monticello.
Oct. 3.	Arrives Washington.
27.	Sends seventh annual message.
30.	Burr trial ends.
Nov. 11.	Great Britain extends Orders in Council.
13.	Sends reply to Society of Friends.
18.	Sends reply to Baptists.
23.	Sends message on Burr trial.
Dec. 7.	Sends confidential message on Great Britain.
10.	Sends reply to Assembly of Vermont.
	Sends reply to Legislature of New Jersey.
14.	Sends reply to Washington Society of Tammany.
	Non-importation Act goes into effect.
17.	France issues supplementary decree concerning neutral commerce.
18.	Sends message on commercial depredations.
21.	Sends reply to Baptist Association.
22.	Embargo Act signed.
1808.—Jan. 3.	Spain issues decree concerning neutral commerce.
10.	Sends reply to Assembly of North Carolina.
20.	Sends message on Wilkinson.
23.	Refuses to recommend Fast-day.

1808.—Jan.	30.	Sends message on Choctaws.
		Sends message on Detroit and Mackinac.
Feb.	2.	Sends message on neutrals.
	4.	Sends supplementary message on Wilkinson.
	9.	Sends message on Algiers.
	15.	Sends supplementary message on Algiers.
	19.	Sends message on Cumberland Road.
	25.	Sends message on militia.
	29.	Sends reply to New York Society of St. Tammany.
Mar.	7.	Sends Batture message.
	17.	Sends message on commercial decrees.
	18.	Sends message on West Point.
	22.	Sends special message on British negotiations.
		Sends message on Public Defence.
	30.	Drafts supplementary bill for Embargo.
Apr.	19.	Issues Proclamation on Embargo.
May	6.	Sends circular letter to State governors.
		Leaves Washington.
	12.	Arrives Monticello.
	25.	Sends reply to Democrats of Philadelphia.
		Asks Dearborn to remain in office.
June		Leaves Monticello.
	11.	Arrives Washington.
	18.	Sends reply to government of New Orleans.
July		Leaves Washington.
	24.	Arrives Monticello.
Aug.	2.	Sends reply to Legislature of New Hampshire.
	4.	Sends reply to Legislature of South Carolina.
	29.	Writes Emperor of Russia.
		Appoints William Short Minister to Russia.
Oct.		Leaves Monticello.
		Arrives Washington.
	17.	Sends reply to Baptist Association.
	18.	Sends reply to Baptist Association.
Nov.	8.	Sends eighth annual message.
	9.	Has interview with Erskine.
	21.	Sends reply to Baptist Association.
		Sends reply to Connecticut republicans.
Dec.	2.	Sends reply to Pittsburg republicans.
	30.	Sends message on Alabama tribe.
1809.—Jan.	6.	Sends message on Defence.
	17.	Drafts circular letter on Embargo.
		Forced to borrow money.

1809.—Feb. 3.	Sends reply to Legislature of Georgia.
6.	Virginia Assembly passes resolutions of thanks.
16.	Sends reply to Assembly of Virginia.
24.	Sends reply to Legislature of New York.
28.	Refuses public reception by citizens of Albemarle County.
Mar. 1.	Signs repeal of Embargo.
4.	Sends reply to citizens of Washington.
	Retires from Presidency.
	Issues circular letter on public appointments.
17.	Arrives Monticello.
Apr. 3.	Sends reply to citizens of Albemarle County.
12.	Sends reply to Legislature of New York.
July	Visits Poplar Forest (Bedford plantation) for a fortnight.
Oct. 20.	At Richmond.
30.	At Monticello.
Nov. 30.	Has interview with Monroe.
1810.—May 25.	Writes Madison concerning Supreme Court.
Oct. 15.	Writes Madison concerning vacancy in Supreme Court.
	Asks Federal appointment for relative.
Dec.	Visits Poplar Forest.
	Returns to Monticello.
1811.—Jan.	Urges seizure of the Floridas.
	Becomes a great-grandfather.
	Drafts scheme for a system of Agricultural Societies.
Mar. 28.	Endeavors to assist Duane.
Aug. 14–23.	At Poplar Forest.
25.	At Monticello.
Dec. 5.	At Poplar Forest.
1812.—Jan. 21.	Renews friendship with John Adams.
	Prints Batture pamphlet.
Apr. 12.	Sends Wirt his recollections of Patrick Henry.
May 10–19.	At Poplar Forest.
23.	At Monticello.
June 18.	War declared.
Sept. 2–12.	At Poplar Forest.
16.	At Monticello.
Nov. 11.	Writes observations on common law in U. S.
Nov. 15–Dec. 14.	At Poplar Forest.
Dec. 17.	At Monticello.
	Writes sketch of Meriwether Lewis.

1813.—Apr. 30–May 10.	At Poplar Forest.
May 15.	At Monticello.
July	Sells Mazzei's property in Richmond and borrows purchase money.
Aug. 28–Sept. 11.	At Poplar Forest.
Sept. 14.	At Monticello.
Nov. 25–Dec. 8.	At Poplar Forest.
Dec. 13.	At Monticello.
1814.—May 28–June 25.	At Poplar Forest.
June 26.	At Monticello.
Sept. 21.	Offers library to Congress.
Oct.	Senate debates purchase of library.
Nov. 3–11.	At Poplar Forest.
21.	At Monticello.
	Resigns Presidency of American Philosophical Society.
1815.—Jan.	Congress passes bill to purchase library.
	Outlines University of Virginia.
May 19–June 1.	At Poplar Forest.
June 4.	At Monticello.
Aug. 29–Sept. 29.	At Poplar Forest.
Oct. 3.	At Monticello.
Nov. 2–12.	At Poplar Forest.
Dec. 16.	At Monticello.

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THE WRITINGS OF

THOMAS JEFFERSON.

CORRESPONDENCE AND OFFICIAL PAPERS.

1807–15.

TO THE GOVERNOR OF NEW ORLEANS. J.MSS.
(JAMES WILKINSON.)

WASHINGTON, January 3, 1807.

DEAR SIR,—I had intended yesterday to recommend to General Dearborne the writing to you weekly by post, to convey information of our western affairs, so long as they are interesting, because it is possible, though not probable, you might sometimes get the information quicker this way than down the river, but the General received yesterday information of the death of his son in the East Indies, and of course cannot now attend to business. I therefore write you a hasty line for the present week, and send it in duplicate by the Athens and the Nashville routes.

The information in the enclosed paper, as to proceedings in the State of Ohio, is correct. Blennerhasset's flotilla of fifteen boats and two hundred barrels of provisions, is seized, and there can be no doubt that Tyler's flotilla is also taken, because, on the 17th of December, we know there was a sufficient force assembled at Cincinnati to intercept it there, and another party was in pursuit of it on the river above. We are assured that these two flotillas

composed the whole of the boats, provided Blennerhasset and Tyler had fled down the river. I do not believe that the number of persons engaged for Burr has ever amounted to five hundred, though some have carried them to one thousand or fifteen hundred. A part of these were engaged as settlers of Bastrop's land, but the greater part of these were engaged under the express assurance that the projected enterprise was against Mexico, and secretly authorized by this government. Many were expressly enlisted in the name of the United States. The proclamation which reached Pittsburgh, December 2d, and the other parts of the river successively, undeceived both these classes, and of course drew them off, and I have never seen any proof of their having assembled more than forty men in two boats from Beaver, fifty in Tyler's flotilla, and the boatmen of Blennerhasset's. I believe therefore that the enterprise may be considered as crushed, but we are not to relax in our attentions until we hear what has passed at Louisville. If everything from that place upwards be successfully arrested, there is nothing from below that is to be feared. Be assured that Tennessee, and particularly General Jackson, are faithful. The orders lodged at Massac and the Chickasaw bluffs, will probably secure the interception of such fugitives from justice as may escape from Louisville, so that I think you will never see one of them. Still I would not wish, till we hear from Louisville, that you should relax your preparations in the least, except so far as to dispense with the militia of Mississippi and Orleans leaving their homes under our order of November 25th. Only let them consider themselves under requisition, and be in a state of readiness should any force, too great for your regulars, escape down the river. You will have been sensible that those orders were given while we supposed you were on the Sabine, and the supposed crisis did not admit the formality of their being passed through you. We had considered Fort Adams as the place to make a stand, because it covered the mouth of the Red river. You have preferred New Orleans on the apprehension of a fleet from the West Indies. Be assured there is not any foundation for such an expectation, but the lying exaggerations of those traitors to impose on others and swell their pretended means. The very man whom they represented to you as gone to Jamaica,

and to bring the fleet, has never been from home, and has regularly communicated to me everything which had passed between Burr and him. No such proposition was ever hazarded to him. France or Spain would not send a fleet to take Vera Cruz; and though one of the expeditions now near arriving from England, is probably for Vera Cruz, and perhaps already there, yet the state of things between us renders it impossible they should countenance an enterprise unauthorized by us. Still I repeat that these grounds of security must not stop our proceedings or preparations until they are further confirmed. Go on, therefore, with your works for the defence of New Orleans, because they will always be useful, only looking to what should be permanent rather than means merely temporary. You may expect further information as we receive it, and though I expect it will be such as will place us at our ease, yet we must not place ourselves so until it be certain, but act on the possibility that the resources of our enemy may be greater and deeper than we are yet informed.

Your two confidential messengers delivered their charges safely. One arrived yesterday only with your letter of November 12th. The oral communications he made me are truly important. I beseech you to take the most special care of the two letters which he mentioned to me, the one in cypher, the other from another of the conspirators of high standing, and to send them to me by the first conveyance you can trust. It is necessary that all important testimony should be brought to one centre, in order that the guilty may be convicted, and the innocent left untroubled. Accept my friendly salutations, and assurances of great esteem and respect.[1]

[1] On Feb. 3, 1807, Jefferson wrote Wilkinson:

"SIR,—A returning express gives me an opportunity of acknowledging the receipt of your letters of Nov. 12, Dec. 9, 14, 18, 25, 26, and Jan. 2. I wrote to you Jan. 3, and through Mr. Briggs, Jan. 10. The former being written while the Secretary at War was unable to attend to business, gave you the state of the information we then possessed as to Burr's conspiracy. I now enclose you a message, containing a complete history of it from the commencement down to the eve of his departure from Nashville; & two subsequent messages shewed that he began his descent of the Mississippi Jany 1, with 10 boats, from 80 to 100 men of his party, navigated by 60 oarsmen not at all of his party. This, I think, is fully the force with which he will be able to meet your gun-boats;

TO THE SECRETARY OF THE TREASURY. J. MSS.

(ALBERT GALLATIN.)

January 4, 1807.

There is a vessel fitting out at New York, formerly called the Emperor, now the James, or the Brutus (accounts differ), to carry 22 guns and 150 men, and to be commanded by Blakely, who

and as I think he was uninformed of your proceedings, & could not get the information till he would reach Natchez, I am in hopes that before this date he is in your possession. Although we at no time believed he could carry any formidable force out of the Ohio, yet we thought it safest that you should be prepared to receive him with all the force which could be assembled, and with that view our orders were given; and we were pleased to see that without waiting for them, you adopted nearly the same plan yourself, and acted on it with promptitude; the difference between yours & ours proceeding from your expecting an attack by sea, which we knew was impossible, either by England or by a fleet under Truxton, who was at home; or by our own navy, which was under our own eye. Your belief that Burr would really descend with 6. or 7000 men, was no doubt founded on what you know of the numbers which could be raised in the Western country for an expedition to Mexico, *under the authority of the government;* but you probably did not calculate that the want of that authority would take from him every honest man, & leave him only the desperadoes of his party, which in no part of the Ud S can ever be a numerous body. In approving, therefore, as we do approve, of the defensive operations for N Orleans, we are obliged to estimate them, not according to our own view of the danger, but to place ourselves in your situation, & only with your information. Your sending here Swartwout & Bollman, and adding to them Burr, Blannerhasset, & Tyler, should they fall into your hands, will be supported by the public opinion. As to Alexander, who is arrived, and Ogden expected, the evidence yet received will not be sufficient to commit them. I hope, however you will not extend this deportation to persons against whom there is only suspicion, or shades of offence not strongly marked. In that case, I fear the public sentiment would desert you; because, seeing no danger here, violations of law are felt with strength. I have thought it just to give you these views of the sentiments & sensations here, as they may enlighten your path. I am thoroughly sensible of the painful difficulties of your situation, expecting an attack from an overwhelming force, unversed in law, surrounded by suspected persons, & in a nation tender as to everything infringing liberty, & especially from the military. You have doubtless seen a good deal of malicious insinuation in the papers against you. This, of course, begot suspicion and distrust in those unacquainted with the line of your conduct. We, who knew it have not failed to strengthen the public confidence in you; and I can assure you that your conduct, as now known, has placed you on ground ex-

went out Lieutenant of the Leander. She is confidently believed to be destined for Burr at New Orleans. The collector should be put on his guard; he can get much information from the

tremely favorable with the public. Burr and his emissaries found it convenient to sow a distrust in your mind of our dispositions toward you; but be assured that you will be cordially supported in the line of your duties. I pray you to send me D.'s original letter, communicatd through Briggs, by the first entirely safe conveyance. Accept my friendly salutations & assurances of esteem & respect."

On June 21, 1807, he again wrote to Wilkinson:

"DEAR SIR,—I received last night yours of the 16th, and sincerely congratulate you on your safe arrival at Richmond, against the impudent surmises & hopes of the band of conspirators, who, because they are as yet permitted to walk abroad, and even to be in the character of witnesses until such a measure of evidence shall be collected as will place them securely at the bar of justice, attempt to cover their crimes under noise and insolence. You have indeed had a fiery trial at New Orleans, but it was soon apparent that the clamorous were only the criminal, endeavoring to turn the public attention from themselves & their leader upon any other object.

"Having delivered to the Attorney Genl all the papers I possessed, respecting Burr & his accomplices, when he went to Richmond, I could only write to him (without knowing whether he was at Philadelphia, Wilmington, or Delaware) for your letter of Oct 21, desired by the court. If you have a copy of it, and chuse to give it in, it will, I think, have a good effect; for it was my intention, if I should receive it from Mr. Rodney, not to communicate it without your consent, after I learnt your arrival. Mr. Rodney will certainly either bring or send it within the course of a day or two, and it will be instantly forwarded to Mr. Hay. For the same reason, I cannot send the letter of J. P. D., as you propose, to Mr. Hay. I do not recollect what name these initials indicate, but the paper, whatever it is, must be in the hands of Mr. Rodney. Not so as to your letter to Dayton; for as that could be of no use in the prosecution, & was reserved to be forwarded or not, according to circumstances, I retained it in my own hands, & now return it to you. If you think Dayton's son should be summoned, it can only be done from Richmond. We have no subpœnas here. Within about a month we shall leave this to place ourselves in healthier stations. Before that I trust you will be liberated from your present attendance. It would have been of great importance to have had you here with the Secretary of War, because I am very anxious to begin such works as will render Plaquemine impregnable, and an insuperable barrier to the passage of any force up or down the river. But the Secretary at War sets out on Wednesday, to meet with some other persons at New York, and determine on the works necessary to be undertaken to put that place *hors d'insulte*, & thence he will have to proceed northwardly, I believe. I must ask you, at your leisure, to state to me in writing what you think will answer our views at Plaquemine,

Mayor of New York on the subject. If Blakely went out really with Miranda as Lieutenant, he should be immediately arrested and put on his trial. Will you be so good as to take the necessary measures on this subject? [1]

TO REV. CHARLES CLAY.[2]

WASHINGTON, Jan. 11, 07.

DEAR SIR,—Yours of Dec. 10, has been duly received, and I thank you for your friendly attention to the offer of lands adjoining me for sale. It is true that I have always wished to purchase a part of what was Murray's tract which would straiten the lines of the Poplar Forest, but I really am not able to make a purchase. I had hoped to keep the expences of my office within the limits of its salary so as apply my private income entirely to the improvement & enlargement of my estate: but I have not been able to do it. Our affairs with Spain, after which you enquire, do not promise the result we wish. Not that

within the limits of expense which we can contemplate, & of which you can form a pretty good idea.

"Your enemies have filled the public ear with slanders, & your mind with trouble on that account. The establishment of their guilt will let the world see what they ought to think of their clamors; it will dissipate the doubts of those who doubted for want of knolege, and will place you on higher ground in the public estimate and public confidence. No one is more sensible than myself of the injustice which has been aimed at you. Accept, I pray you, my salutations, & assurances of respect & esteem."

[1] On January 2, 1807, Jefferson further wrote to Gallatin:

"I return you the letter of Mr. Gelston respecting the Brutus. From what I learn, she cannot be destined for the Mississippi, because she draws too much water to enter it. However, considering the difficulty Congress finds in enlarging the limits of our preventive powers, I think we should be cautious how we step across those limits ourselves. She is probably bound to St. Domingo. Could not Congress while continuing that law, amend it so as to prevent the abuse actually practised? Affectionate salutations."

[2] From a copy courteously furnished by Dr. J. M. Wilson, of Douglas, Wyoming.

war will take place immediately; but they may go off without a settlement, and leave us in constant bickering about indemnification for Spoliations, the navigation of the Mobille, and the Limits of Louisiana.

Burr's enterprise is the most extraordinary since the days of Don Quixot. It is so extravagant that those who know his understanding would not believe it if the proofs admitted doubt. He has meant to place himself on the throne of Montezuma, and extend his empire to the Allegany seizing on N Orleans as the instrument of compulsion for our Western States. I think his undertaking effectually crippled by the activity of Ohio. Whether Kentucky will give him the coup de grace is doubtful; but if he is able to descend the river with any means we are sufficiently prepared at New Orleans. I hope however Kentucky will do its duty & finish the matter for the honour of popular govmt and the discouragement of all arguments for standing armies. Accept my friendly salutations & assurances of great esteem & respect.

TO THE SECRETARY OF THE TREASURY. J. MSS.

(ALBERT GALLATIN.)

January 13, 1807.

The appointment of a woman to office is an innovation for which the public is not prepared, nor am I. Shall we appoint Springs, or wait the further recommendations spoken of by Bloodworth? Briggs has resigned, and I wish to consult with you when convenient on his successor, as well as on an Attorney-General. Affectionate salutations.

TO JOHN DICKINSON. J. MSS.

WASHINGTON, Jan. 13, 1807.

MY DEAR AND ANCIENT FRIEND,—I have duly received your favor of the 1st inst., and am ever thankful for communications which may guide me in the duties which I wish to perform as well as I am able. It is but too true that great discontents exist in the territory of Orleans. Those of the French inhabitants have for their sources, 1, the prohibition of importing slaves. This may be partly removed by Congress permitting them to receive slaves from the other States, which, by dividing that evil, would lessen its danger; 2, the administration of justice in our forms, principles, & language, with all of which they are unacquainted, & are the more abhorrent, because of the enormous expense, greatly exaggerated by the corruption of bankrupt & greedy lawyers, who have gone there from the Ud S. & engrossed the practice; 3, the call on them by the land commissioners to produce the titles of their lands. The object of this is really to record & secure their rights. But as many of them hold on rights so ancient that the title papers are lost, they expect the land is to be taken from them wherever they cannot produce a regular deduction of title in writing. In this they will be undeceived by the final result, which will evince to them a liberal disposition of the government towards them. Among the American inhabitants it is the old division of federalists & republicans. The former are as hostile there as they are everywhere, & are the most numerous & wealthy. They have been long endeavoring to

batter down the Governor, who has always been a firm republican. There were characters superior to him whom I wished to appoint, but they refused the office: I know no better man who would accept of it, and it would not be right to turn him out for one not better. But it is the 2d. cause, above mentioned, which is deep-seated & permanent. The French members of the Legislature, being the majority in both Houses, lately passed an act declaring that the civil, or French laws, should be the laws of their land, and enumerated about 50 folio volumes, in Latin, as the depositories of these laws. The Governor negatived the act. One of the houses thereupon passed a vote for self-dissolution of the Legislature as a useless body, which failed in the other House by a single vote only. They seperated, however, & have disseminated all the discontent they could. I propose to the members of Congress in conversation, the enlisting 30,000 volunteers, Americans by birth, to be carried at the public expense, & settled immediately on a bounty of 160 acres of land each, on the west side of the Mississippi, on the condition of giving two years of military service, if that country should be attacked within 7 years. The defence of the country would thus be placed on the spot, and the additional number would entitle the territory to become a State, would make the majority American, & make it an American instead of a French State. This would not sweeten the pill to the French; but in making that acquisition we had some view to our own good as well as theirs, and I believe the greatest good of both

will be promoted by whatever will amalgamate us together.

I have tired you, my friend, with a long letter. But your tedium will end in a few lines more. Mine has yet two years to endure. I am tired of an office where I can do no more good than many others, who would be glad to be employed in it. To myself, personally, it brings nothing but unceasing drudgery & daily loss of friends. Every office becoming vacant, every appointment made, me donne un ingrat, et cent ennemis. My only consolation is in the belief that my fellow citizens at large give me credit for good intentions. I will certainly endeavor to merit the continuance of that good-will which follows well-intended actions, and their approbation will be the dearest reward I can carry into retirement.

God bless you, my excellent friend, and give you yet many healthy and happy years.

TO WILLIAM WALLER HENING.[1] J. MSS.

WASHINGTON, January 14, 1807.

SIR,—Your letter of Dec. 26th, was received in due time. The only object I had in making my collection of the laws of Virginia, was to save all those for the

[1] Hening was just undertaking his well known Statutes at large of Virginia. On Feb. 28, Jefferson further wrote him:

"SIR,—It has not been in my power sooner to acknolege your letter of Feb. 4. After repeating that my printed collection of laws which are in strong bound volumes, are at your service, I must observe as to the manuscript volumes, that several of them run into one another in point of time, so that the same act will be found in several volumes, and will require a good deal of collating. But what presents a greater difficulty is, that some of these volumes seem to

public which were not then already lost, in the hope that at some future day they might be republished. Whether this be by public or private enterprise, my end will be equally answered. The work divides itself into two very distinct parts; to wit, the printed and the unprinted laws. The former begin in 1682, (Purvis' collection.) My collection of these is in strong volumes, well bound, and therefore may safely be transported anywhere. Any of these volumes which you do not possess, are at your service for the purpose of republication, but the unprinted laws are dispersed through many MS. volumes, several of them so decayed that the leaf can never be opened but once without falling into powder. These can never bear removal further than from their shelf to a table. They are, as well as I recollect, from 1622 downwards. I formerly made such a digest of their order, and the volumes where they are to be found, that, under my own superintendence, they could be copied with once handling. More they would not bear. Hence the impracticability of their being copied but at Monti-

have been records of the council, and to contain interspersed copies of some laws. These volumes are in a black letter, illegible absolutely but to those habituated to it and far beyond the competence of an ordinary scribe. I have never myself searched up the acts which these volumes contain. I have always expected they would fill up some of the lacunæ in the list I sent to Mr. Wythe. As this compilation can be made but once, because in doing it the originals will fall to pieces, my anxiety that justice shall be done it obliges me to say that it cannot be done till I become resident at Monticello. There I will superintend it myself, freely giving my own labour to whoever undertakes to copy & publish, whether on public or private account. The copyist must probably live with me during the work, & of course, I must take some part in his choice. Seeing no inconvenience in publishing first the edited & secondly the inedited laws, I am in hopes that you may think the former may at once be entered on. Accept my salutations & assurances of great esteem & respect."

cello. But independent of them, the printed laws, beginning in 1682, with all our former printed collections, will be a most valuable publication, & sufficiently distinct. I shall have no doubt of the exactness of your part of the work, but I hope you will take measures for having the typography & paper worthy of the work. I am lead to this caution by the scandalous volume of our laws printed by Pleasants in 1803, & those by Davis, in 1796 were little better; both unworthy the history of Tom Thumb. You can have them better & cheaper printed anywhere north of Richmond. Accept my salutations & assurances of respect.

TO CÆSAR A. RODNEY.[1]

WASHINGTON, Jan. 17, 1807.

DEAR SIR,—Keep the contents of this letter, if you please, to yourself. I yesterday nominated you to the Senate as Attorney General of the U. S. Whether it will be confirmed will rest with them, and they often subject nominations to great delay. My only object in mentioning it to you is that you may be making all the provisional arrangements necessary for an immediate visit to this place if you should receive the commission. The Supreme Court meeting on Monday will require necessarily the presence of the Atty. Genl. and we have also an Executive matter calling for his immediate agency. You may come alone, as I presume & stay the session of the court and afterwards return for your family. Accept my friendly salutations and assurances of great esteem and respect.

[1] From a copy courteously furnished by Mr. John Boyd Thacher, of Albany, N. Y.

TO THE GOVERNOR OF SOUTH CAROLINA.
(CHARLES PINCKNEY.) J. MSS.

WASHINGTON, Jany 20, 07.

DEAR SIR,—I received two days ago a letter from Genl Wilkinson, dated at N Orleans, Decr 14, in which he enclosed me an affidavit, of which I now transmit you a copy. You will perceive that it authenticates the copy of a letter from Colo Burr to the General, affirming that Mr. Alston, his son-in-law, is engaged in the unlawful enterprises he is carrying on, and is to be an actor in them. I am to add, also, that I have received information from another source, that Mr. Alston, while returning from Kentucky last autumn through the upper part of your State, proposed to a Mr. Butler of that part of the country, to join in Colo Burr's enterprise, which he represented as of a nature to make his fortune, & is understood to have been explained as against Mexico, as well as for separating the Union of these States. That Butler communicated this to a person, of the same part of the country, called Span, who communicated it to a Mr. Horan, the clerk of a court in that quarter; that Butler & Span agreed to join in the enterprise, but Horan refused.

Nobody is a better judge than yourself whether any & what measures can be taken on this information. As to Genl Wilkinson's affidavit, it will be laid before the Legislature in a few days, and, of course, will be publick; but as to the other part, if no use can be made of it, your own discretion & candor would lead you to keep it secret. It is further well known here that Mr. Alston is an endorser to a considerable amount, of the bills which have enabled Colo Burr to prepare his treasons. A message which I shall send into the Legislature two days hence, will give a development of them. I avail myself with pleasure of this opportunity of recalling myself to your recollection, & of assuring you of my constant esteem & high consideration.[1]

[1] On February 22, 1807, Jefferson wrote to Gallatin:

"I send you Allston's letter for perusal. He thinks to get over this matter by putting a bold face on it. I have the names of three persons whose evidence, *taken together*, can fix on him the actual endeavor to engage men in Burr's enterprise. Some appropriation must certainly be made for provisions, &c., arrested. I expect we must pay for them all, and use the provisions for the army. But how is the appropriation to be introduced?"

SPECIAL MESSAGE ON BURR.[1]

January 22, 1807.

To the Senate and House of Representatives of the United States:—

Agreeably to the request of the House of Representatives, communicated in their resolution of the sixteenth instant, I proceed to state under the reserve therein expressed, information received touching an illegal combination of private individuals against the peace and safety of the Union, and a military expedition planned by them against the territories of a power in amity with the United States, with the measures I have pursued for suppressing the same.

I had for some time been in the constant expectation of receiving such further information as would have enabled me to lay before the legislature the termination as well as the beginning and progress of this scene of depravity, so far it has been acted on the Ohio and its waters. From this the state and safety of the lower country might have been estimated on probable grounds, and the delay was indulged the rather, because no circumstance had yet made it necessary to call in the aid of the legislative functions. Information now recently communicated has brought us nearly to the period contemplated. The mass of what I have received, in the course of these transactions, is voluminous, but little has been given under the sanction of an oath, so as to constitute formal and legal evidence. It is chiefly in the form of letters, often containing such a mixture of rumors, conjectures, and suspicions, as ren-

[1] Jefferson enclosed this message to the Governor of Louisiana in the following letter:

"WASHINGTON, Feby 3, '07.

"DEAR SIR,—I pray you to read the enclosed letter, to seal & deliver it. It explains itself so fully, that I need say nothing. I am sincerely concerned for Mr. Reibelt, who is a man of excellent understanding and extensive science. If you had any academical berth, he would be much better fitted for that than for the bustling business of life. I enclose to Genl Wilkinson my message of Jan. 22. I presume, however, you will have seen it in the papers. It gives the history of Burr's conspiracy, all but the last chapter, which will, I hope, be that of his capture before this time, at Natchez. Your situations have been difficult, and we judge of the merit of our agents there by the magnitude of the danger as it appeared to them, not as it was known to us. On great occasions every

der it difficult to sift out the real facts, and unadvisable to hazard more than general outlines, strengthened by concurrent information, or the particular credibility of the relater. In this state of the evidence, delivered sometimes too under the restriction of private confidence, neither safety nor justice will permit the exposing names, except that of the principal actor, whose guilt is placed beyond question.

Some time in the latter part of September, I received intimations that designs were in agitation in the western country, unlawful and unfriendly to the peace of the Union; and that the prime mover in these was Aaron Burr, heretofore distinguished by the favor of his country. The grounds of these intimations being inconclusive, the objects uncertain, and the fidelity of that country known to be firm, the only measure taken was to urge the informants to use their best endeavors to get further insight into the designs and proceedings of the suspected persons, and to communicate them to me.

It was not until the latter part of October, that the objects of the conspiracy began to be perceived, but still so blended and involved in mystery that nothing distinct could be singled out for pursuit. In this state of uncertainty as to the crime contemplated, the acts done, and the legal course to be pursued, I thought it best to send to the scene where these things were principally in transaction, a person, in whose integrity, understanding, and discretion, entire confidence could be reposed, with instructions to investigate the plots going on, to enter into conference (for which he had

good officer must be ready to risk himself in going beyond the strict line of law, when the public preservation requires it; his motives will be a justification as far as there is any discretion in his ultra-legal proceedings, & by indulgence of private feelings. On the whole, this squall, by shewing with what ease our government suppresses movements which in other countries requires armies, has greatly increased its strength by increasing the public confidence in it. It has been a wholesome lesson too to our citizens, of the necessary obedience to their government. The Feds, & the little band of Quids, in opposition, will try to make something of the infringement of liberty by the military arrest & deportation of citizens, but if it does not go beyond such offenders as Swartwout, Bollman, Burr, Blennerhasset, Tyler, &c., they will be supported by the public approbation. Accept my friendly salutations, & assurances of esteem & respect."

sufficient credentials) with the governors and all other officers, civil and military, and with their aid to do on the spot whatever should be necessary to discover the designs of the conspirators, arrest their means, bring their persons to punishment, and to call out the force of the country to suppress any unlawful enterprise in which it should be found they were engaged. By this time it was known that many boats were under preparation, stores of provisions collecting, and an unusual number of suspicious characters in motion on the Ohio and its waters. Besides despatching the confidential agent to that quarter, orders were at the same time sent to the governors of the Orleans and Mississippi territories, and to the commanders of the land and naval forces there, to be on their guard against surprise, and in constant readiness to resist any enterprise which might be attempted on the vessels, posts, or other objects under their care; and on the 8th of November, instructions were forwarded to General Wilkinson to hasten an accommodation with the Spanish commander on the Sabine, and as soon as that was effected, to fall back with his principal force to the hither bank of the Mississippi, for the defence of the intersecting points on that river. By a letter received from that officer on the 25th of November, but dated October 21st, we learn that a confidential agent of Aaron Burr had been deputed to him, with communications partly written in cipher and partly oral, explaining his designs, exaggerating his resources, and making such offers of emolument and command, to engage him and the army in his unlawful enterprise, as he had flattered himself would be successful. The general, with the honor of a soldier and fidelity of a good citizen, immediately despatched a trusty officer to me with information of what had passed, proceeding to establish such an understanding with the Spanish commandant on the Sabine as permitted him to withdraw his force across the Mississippi, and to enter on measures for opposing the projected enterprise.

The general's letter, which came to hand on the 25th of November, as has been mentioned, and some other information received a few days earlier, when brought together, developed Burr's general designs, different parts of which only had been revealed to different informants. It appeared that he contem-

plated two distinct objects, which might be carried on either jointly or separately, and either the one or the other first, as circumstances should direct. One of these was the severance of the Union of these States by the Alleghany mountains; the other, an attack on Mexico. A third object was provided, merely ostensible, to wit: the settlement of a pretended purchase of a tract of country on the Washita, claimed by a Baron Bastrop. This was to serve as the pretext for all his preparations, an allurement for such followers as really wished to acquire settlements in that country, and a cover under which to retreat in the event of final discomfiture of both branches of his real design.

He found at once that the attachment of the western country to the present Union was not to be shaken; that its dissolution could not be effected with the consent of its inhabitants, and that his resources were inadequate, as yet, to effect it by force. He took his course then at once, determined to seize on New Orleans, plunder the bank there, possess himself of the military and naval stores, and proceed on his expedition to Mexico; and to this object all his means and preparations were now directed. He collected from all the quarters where himself or his agents possessed influence, all the ardent, restless, desperate, and disaffected persons who were ready for any enterprise analogous to their characters. He seduced good and well-meaning citizens, some by assurances that he possessed the confidence of the government and was acting under its secret patronage, a pretence which obtained some credit from the state of our differences with Spain; and others by offers of land in Bastrop's claim on the Washita.

This was the state of my information of his proceedings about the last of November, at which time, therefore, it was first possible to take specific measures to meet them. The proclamation of November 27th, two days after the receipt of General Wilkinson's information, was now issued. Orders were despatched to every intersecting point on the Ohio and Mississippi, from Pittsburg to New Orleans, for the employment of such force either of the regulars or of the militia, and of such proceedings also of the civil authorities, as might enable them to seize on all the boats and stores provided for the enterprise, to arrest the

persons concerned, and to suppress effectually the further progress of the enterprise. A little before the receipt of these orders in the State of Ohio, our confidential agent, who had been diligently employed in investigating the conspiracy, had acquired sufficient information to open himself to the governor of that State, and apply for the immediate exertion of the authority and power of the State to crush the combination. Governor Tiffin and the legislature, with a promptitude, an energy, and patriotic zeal, which entitle them to a distinguished place in the affection of their sister States, effected the seizure of all the boats, provisions, and other preparations within their reach, and thus gave a first blow, materially disabling the enterprise in its outset.

In Kentucky, a premature attempt to bring Burr to justice, without sufficient evidence for his conviction, had produced a popular impression in his favor, and a general disbelief of his guilt. This gave him an unfortunate opportunity of hastening his equipments. The arrival of the proclamation and orders, and the application and information of our confidential agent, at length awakened the authorities of that State to the truth, and then produced the same promptitude and energy of which the neighboring State had set the example. Under an act of their legislature of December 23d, militia was instantly ordered to different important points, and measures taken for doing whatever could yet be done. Some boats (accounts vary from five to double or treble that number) and persons (differently estimated from one to three hundred) had in the meantime passed the falls of the Ohio, to rendezvous at the mouth of the Cumberland, with others expected down that river.

Not apprized, till very late, that any boats were building on Cumberland, the effect of the proclamation had been trusted to for some time in the State of Tennessee; but on the 19th of December, similar communications and instructions with those of the neighboring States were despatched by express to the governor, and a general officer of the western division of the State, and on the 23d of December our confidential agent left Frankfort for Nashville, to put into activity the means of that State also. But by information received yesterday I learn that on the 22d of

December, Mr. Burr descended the Cumberland with two boats merely of accommodation, carrying with him from that State no quota toward his unlawful enterprise. Whether after the arrival of the proclamation, of the orders, or of our agent, any exertion which could be made by that State, or the orders of the governor of Kentucky for calling out the militia at the mouth of Cumberland, would be in time to arrest these boats, and those from the falls of the Ohio, is still doubtful.

On the whole, the fugitives from Ohio, with their associates from Cumberland, or any other place in that quarter, cannot threaten serious danger to the city of New Orleans.

By the same express of December nineteenth, orders were sent to the governors of New Orleans and Mississippi, supplementary to those which had been given on the twenty-fifth of November, to hold the militia of their territories in readiness to co-operate for their defence, with the regular troops and armed vessels then under command of General Wilkinson. Great alarm, indeed, was excited at New Orleans by the exaggerated accounts of Mr. Burr, disseminated through his emissaries, of the armies and navies he was to assemble there. General Wilkinson had arrived there himself on the 24th of November and had immediately put into activity the resources of the place for the purpose of its defence; and on the tenth of December he was joined by his troops from the Sabine. Great zeal was shown by the inhabitants generally, the merchants of the place readily agreeing to the most laudable exertions and sacrifices for manning the armed vessels with their seamen, and the other citizens manifesting unequivocal fidelity to the Union, and a spirit of determined resistance to their expected assailants.

Surmises have been hazarded that this enterprise is to receive aid from certain foreign powers. But these surmises are without proof or probability. The wisdom of the measures sanctioned by Congress at its last session had placed us in the paths of peace and justice with the only powers with whom we had any differences, and nothing has happened since which makes it either their interest or ours to pursue another course. No change of measures has taken place on our part; none ought to take place at this time. With the one, friendly arrangement was then pro-

posed, and the law deemed necessary on the failure of that was suspended to give time for a fair trial of the issue. With the same power, negotiation is still preferred and provisional measures only are necessary to meet the event of rupture. While, therefore, we do not deflect in the slightest degree from the course we then assumed, and are still pursuing, with mutual consent, to restore a good understanding, we are not to impute to them practices as irreconcilable to interest as to good faith, and changing necessarily the relations of peace and justice between us to those of war. These surmises are, therefore, to be imputed to the vauntings of the author of this enterprise, to multiply his partisans by magnifying the belief of his prospects and support.

By letters from General Wilkinson, of the 14th and 18th of September, which came to hand two days after date of the resolution of the House of Representatives, that is to say, on the morning of the 18th instant, I received the important affidavit, a copy of which I now communicate, with extracts of so much of the letters as come within the scope of the resolution. By these it will be seen that of three of the principal emissaries of Mr. Burr, whom the general had caused to be apprehended, one had been liberated by *habeas corpus*, and the two others, being those particularly employed in the endeavor to corrupt the general and army of the United States, have been embarked by him for our ports in the Atlantic States, probably on the consideration that an impartial trial could not be expected during the present agitations of New Orleans, and that that city was not as yet a safe place of confinement. As soon as these persons shall arrive, they will be delivered to the custody of the law, and left to such course of trial, both as to place and process, as its functionaries may direct. The presence of the highest judicial authorities, to be assembled at this place within a few days, the means of pursuing a sounder course of proceedings here than elsewhere, and the aid of the executive means, should the judges have occasion to use them, render it equally desirable for the criminals as for the public, that being already removed from the place where they were first apprehended, the first regular arrest should take place here, and the course of proceedings receive here its proper direction.

SPECIAL MESSAGE ON BURR.

January 28, 1807.

To the Senate and House of Representatives of the United States:—

By the letters of Captain Bissel, who commands at Fort Massac, and of Mr. Murrell, to General Jackson, of Tennessee, copies of which are now communicated to Congress, it will be seen that Aaron Burr passed Fort Massac on the 31st December, with about ten boats, navigated by about six hands each, without any military appearance, and that three boats with ammunition were said to have been arrested by the militia at Louisville.

As the guards of militia posted on various points on the Ohio will be able to prevent any further aids passing through that channel, should any be attempted, we may now estimate, with tolerable certainty, the means derived from the Ohio and its waters, toward the accomplishment of the purposes of Mr. Burr.

TO THE GOVERNOR OF OHIO. J. MSS.

(H. D. TIFFIN.)

WASHINGTON, February 2d, 1807.

SIR,—The pressure of business during a session of the Legislature has rendered me more tardy in addressing you than it was my wish to have been. That our fellow citizens of the West would need only to be informed of criminal machinations against the public safety to crush them at once, I never entertained a doubt. I have seen with the greatest satisfaction that among those who have distinguished themselves by their fidelity to their country, on the occasion of the enterprise of Mr. Burr, yourself & the Legislature of Ohio have been the most eminent. The promptitude & energy displayed by your State has been as honorable to itself as salutary to its sister States; and in declaring that you have deserved well of your country, I do but express the grateful sentiment of every faithful citizen in it. The hand of the people has given the mortal blow to a conspiracy which, in other countries, would have called for an appeal to armies, and has proved that government to be the strongest of which every

man feels himself a part. It is a happy illustration, too, of the importance of preserving to the State authorities all that vigor which the Constitution foresaw would be necessary, not only for their own safety, but for that of the whole. In making these acknowledgments of the merit of having set this illustrious example of exertion for the common safety, I pray that they may be considered as addressed to yourself & the Legislature particularly, & generally to every citizen who has availed himself of the opportunity given of proving his devotion to his country. Accept my salutations & assurances of great consideration & esteem.[1]

[1] Later the President wrote to the Secretary at War.

"WASHINGTON, Oct 27, 07.

"DEAR SIR,—I have reflected on the case of the embodying of the militia in Ohio, and think the respect we owe to the State may overweigh the disapprobation so justly due to the conduct of their Governor pro tem. They certainly had great merit, and have acquired a very general favor thro' the Union, for the early & vigorous blows by which they crushed the insurrection of Burr. We have now again to appeal to their patriotism & public spirit in the same case; and should there be war, they are our bulwark in the most prominent point of assault from the Indians. Their good will & affection, therefore, should be conciliated by all justifiable means. If we suffer the question of paying the militia embodied to be thrown on their legislature, it will excite acrimonious debate in that body, & they will spread the same dissatisfaction among their constituents, and finally it will be forced back on us through Congress. Would it not, therefore, be better to say to Mr. Kirker, that the general government is fully aware that emergencies which appertain to them will sometimes arise so suddenly as not to give time for consulting them, before the State must get into action; that the expenses in such cases, incurred on reasonable grounds, will be met by the general government; and that in the present case, altho' it appears there was no real ground for embodying the militia, and that more certain measures for ascertaining the truth should have been taken before embodying them, yet an unwillingness to damp the public spirit of our countrymen, & the justice due to the individuals who came forward in defence of their country, & who could not know the grounds on which they were called, have determined us to consider the call as justifiable, & to defray the expenses. This is submitted to you for consideration. Affectionate salutations."

SPECIAL MESSAGE ON GUN-BOATS.[1]

February 10, 1807.

To the Senate and House of Representatives of the United States:—

In compliance with the request of the House of Representatives, expressed in their resolution of the 5th instant, I proceed to give such information as is possessed, of the effect of gun-boats in the protection and defense of harbors, of the numbers thought necessary, and of the proposed distribution of them among the ports and harbors of the United States.

Under the present circumstances, and governed by the intentions of the legislature, as manifested by their annual appropriations of money for the purposes of defence, it has been concluded to combine—1st, land batteries, furnished with heavy cannon and mortars, and established on all the points around the place favorable for preventing vessels from lying before it; 2d, movable artillery which may be carried, as an occasion may require, to points unprovided with fixed batteries; 3d, floating batteries; and 4th, gun-boats, which may oppose an enemy at its entrance and co-operate with the batteries for his expulsion.

On this subject professional men were consulted as far as we

[1] In the preparation of this message, the President wrote to Dearborn and Smith:

"The H. of Representives ask what particular ports are proposed to be furnished with gunboats, & how many to each. I give you a list of the ports, but instead of saying how many to each, I will throw them into groups, as below, & say how many boats to each group. Will you be so good as to state how many you would think necessary for each of the ports below mentd to give them a reasonable measure of protection in time of war? Also to strike out & insert ports in the list as you think best.

Misipi river, L Pontchartrain, Mobille River
St. Mary's, Savanna, Beaufort, Charleston, Cape Fear, Ocracock
Chesapeake Bay & waters
Delaware bay
New York, New London, Newport
Boston, Newburyport, Portsmouth, Portland, Kennebec, Penobscot, Passamaquoddy

had opportunity. General Wilkinson, and the late General Gates, gave their opinions in writing, in favor of the system, as will be seen by their letters now communicated. The higher officers of the navy gave the same opinions in separate conferences, as their presence at the seat of government offered occasions of consulting them, and no difference of judgment appeared on the subjects. Those of Commodore Barron and Captain Tingey, now here, are recently furnished in writing, and transmitted herewith to the legislature.

The efficacy of gun-boats for the defence of harbors, and of other smooth and enclosed waters, may be estimated in part from that of galleys, formerly much used, but less powerful, more costly in their construction and maintenance, and requiring more men. But the gun-boat itself is believed to be in use with every modern maritime nation for the purpose of defence. In the Mediterranean, on which are several small powers, whose system like ours is peace and defence, few harbors are without this article of protection. Our own experience there of the effect of gun-boats for harbor service, is recent. Algiers is particularly known to have owed to a great provision of these vessels the safety of its city, since the epoch of their construction. Before that it had been repeatedly insulted and injured. The effect of gun-boats at present in the neighborhood of Gibraltar, is well known, and how much they were used both in the attack and defence of that place during a former war. The extensive resort to them by the two greatest naval powers in the world, on an enterprise of invasion not long since in prospect, shows their confidence in their efficacy for the purposes for which they are suited. By the northern powers of Europe, whose seas are particularly adapted to them, they are still more used. The remarkable action between the Russian flotilla of gun-boats and galleys, and a Turkish fleet of ships-of-the-line and frigates, in the Liman sea, 1788, will be readily recollected. The latter, commanded by their most celebrated admiral, were completely defeated, and several of their ships-of-the-line destroyed.[1]

[1]The following, evidently prepared for some newspaper was written by Jefferson:

"Mr. Elliot in his speech on the subject of gunboats, inserted in the National

From the opinions given as to the number of gun-boats necessary for some of the principal seaports, and from a view of all the towns and ports from Orleans to Maine inclusive, entitled to protection, in proportion to their situation and circumstances, it is concluded, that to give them a due measure of protection in time of war, about two hundred gun-boats will be requisite. Accord-

Intelligencer of Dec. 30, quotes from the President's message of Feb. 10, 1807 the following passage 'in the remarkable action between the Russian flotilla of gun-boats & gallies, and a Turkish fleet of ships of the line and frigates in the Liman sea in 1788, the latter, commanded by their most celebrated admiral, were completely defeated and several of their ships of the line destroyed' he adds that he 'has not only consulted the professed annals of the times, but has obtained some information from a writer who appears to have been personally acquainted with the scene of action' & then he gives such an account of the action as may suit the scope of his argument, but not naming either 'the professed annals' or 'the writer who seems to have been personally acquainted with the scene of action,' so as to enable his hearers to question his account, it stands on his own personal authority only. Mr. Elliot's situation probably had not given him an opportunity of consulting the new annual register of 1789, which is certainly among 'the professed annals of the times' and the most respectable of them. The following account of the two actions in the Liman of the 19th & 28th of June 1788, is copied verbally from that work, pa. 70 'a fleet of an inferior sort &c—in which they had placed themselves.' § in the Leyden gazettes of Aug. 1, 22 & 28, 1788. the reader will find official and more detailed accounts of these two actions from these authorities. Taken together it appears that the Turkish force was 16 ships of the line 9 frigates and many smaller vessels. The Russian force 4 ships of the line, some frigates & galleys (under which denomination they include gunboats) making 27 in all. in the 1st action of June 19th the small vessels on both sides alone engaged, the Turks were defeated & having lost 4 of their number the residue retired under the protection of their ships of the line. That in the 2d action of the 28th. the Turkish admiral carried his large as well as small vessels into the Liman sea or lake. the Russians had in the meantime been reinforced by 22 gunboats carrying an 18 pounder each. The result was by the annual register 9 vessels ships of the line & frigates taken or destroyed & by the Leyden account 16. The remainder of the Turkish fleet, the large as well as small vessels, retreating under shelter of the walls of Ocrakow. It does not appear in either account that any part of the Russian force was ever engaged but the flotilla of small vessels which were almost entirely gallies & gun boats, and in the second and decisive action were arranged in two lines in the form of a cresent. The reader will now judge for himself whether the statement in the message of Feb. 10. is not a fair summary of these accounts and whether it be true as Mr. Elliot has said that 'it appears that no such battle as that described in the message of Feb. 10 ever happened."

ing to first ideas, the following would be their general distribution, liable to be varied on more mature examination, and as circumstances shall vary, that is to say:—

To the Mississippi and its neighboring waters, forty gun-boats.

To Savannah and Charleston, and the harbors on each side, from St. Mary's to Currituck, twenty-five.

To the Chesapeake and its waters, twenty.

To Delaware bay and river, fifteen.

To New York, the Sound, and waters as far as Cape Cod, fifty.

To Boston and the harbors north of Cape Cod, fifty.

The flotilla assigned to these several stations, might each be under the care of a particular commandant, and the vessels composing them would, in ordinary, be distributed among the harbors within the station in proportion to their importance.

Of these boats a proper proportion would be of the larger size, such as those heretofore built, capable of navigating any seas, and of reinforcing occasionally the strength of even the most distant port when menaced with danger. The residue would be confined to their own or the neighboring harbors, would be smaller, less furnished for accommodation, and consequently less costly. Of the number supposed necessary, seventy-three are built or building, and the hundred and twenty-seven still to be provided, would cost from five to six hundred thousand dollars. Having regard to the convenience of the treasury, as well as to the resources of building, it has been thought that one half of these might be built in the present year, and the other half the next. With the legislature, however, it will rest to stop where we are, or at any further point, when they shall be of opinion that the number provided shall be sufficient for the object.

At times when Europe as well as the United States shall be at peace, it would not be proposed that more than six or eight of these vessels should be kept afloat. When Europe is in war, treble that number might be necessary to be distributed among those particular harbors which foreign vessels of war are in the habit of frequenting, for the purpose of preserving order therein.

But they would be manned, in ordinary, with only their complement for navigation, relying on the seamen and militia of the port if called into action on sudden emergency. It would be only

when the United States should themselves be at war, that the whole number would be brought into actual service, and would be ready in the first moments of the war to co-operate with other means for covering at once the line of our seaports. At all times, those unemployed would be withdrawn into places not exposed to sudden enterprise, hauled up under sheds from the sun and weather, and kept in preservation with little expense for repairs or maintenance.

It must be superfluous to observe, that this species of naval armament is proposed merely for defensive operation; that it can have but little effect toward protecting our commerce in the open seas even on our coast; and still less can it become an excitement to engage in offensive maritime war, toward which it would furnish no means.[1]

[1] On the draft of this message Gallatin wrote the following notes.

"MESSAGE RESPECTING GUNBOATS.

"2d Paragraph. Might not this be altogether omitted? It is true that the resolution of the House has arisen from the debate on fortifications vs. gunboats. But as it does ask information only on the last subject, it is not necessary to allude to the other subject: such allusion will be construed as taking sides against N. York fortifications: and the expression of that opinion of the President is necessary neither to prevent too large a fortification appropn, nor to shew the efficiency of gunboats. On the contrary, the third paragraph with some trifling alterations in its introduction would present the whole system contemplated by the Executive, (which in fact embraced, under the name of land batteries, a species of fortifications), without giving offence, or interfering with the question of permanent & detached fortifications. It may be added that Castle William reg. Mud Island, Fort Johnson, and, even the works now going on on Governor's Island must be considered as regular fortifications, not properly embraced under the designations of land batteries, and from their insular & detached situation to be necessarily manned by a standing military force.

"5th Paragraph. Omit or modify the words 'inhabited by &c. whose system like ours is peace & defence': Otherwise Algiers will be stated as having a system of peace & defence exclusively.

"Omit the sentence already pencilled relating to our squadron; it is not I think altogether correct in point of fact: we wanted gunboats there to attack theirs in shallow water & even to attack their batteries; but our frigates never avoided them; for their ground (of the frigates) was on the high seas where the Tripolitan boats dared not come.

"To gunboats properly so called I do not think that the British have much

TO THOMAS SEYMOUR. J. MSS.

WASHINGTON, February 11, 1807.

SIR,—The mass of business which occurs during a session of the Legislature, renders me necessarily unpunctual in acknowledging the receipt of letters, and in answering those which will admit of delay. This must be my apology for being so late in noticing the

resorted in the channel; but they did under Curtis in completing the destruction of the floating batteries at Gibraltar: It is well known that during that long seige, they found it indispensable to have such an armament to meet a similar enemies force. The Swedes & Russians have used them to a greater extent than any other nation. The most splendid achievement by gunboats was the destruction (on the 28th & 29th June 1788) of a great part of the Turkish fleet under their celebrated capitan Pacha Hassan Aly, in the Liman or mouth of the Dnieper by the Russian flotilla under Prince of Nassau. Nassau had twenty-two one gunboats and 27 galleys. Hassan attacked him, in order to force the passage and besiege Kimburn, with 16 ships of the line & several frigates, & lost nine of his ships.

"The latter part of this paragraph commencing with the words 'and indeed' to the end, might be omitted.

"7th Paragraph. '& the 127 &c would cost from 5 to 600 thd dollars.' Query whether any gunboats fit for sea including rigging guns &c. have actually been built for less than five thousand dollars; and whether it be intended that they should all be built of a size that will cost no more? Are also the appropriations already made sufficient to compleat the first 73? For the idea conveyed is that less than 600 thd dollars will complete the whole number of 200. If there be any uncertainty on that point, such modification in the expressions should be made as will avoid a premature commitment.

"'Having regard &c. it has been thought that ½ might be built this year & the other half the next.' I am clearly of opinion that we ought to build now all those that are wanted for the Mississippi, & also that number which it may be thought proper to keep afloat in time of European war in the other ports. The number for the Mississippi is stated in the message at 40: that to be kept afloat generally in time of European war is stated in the 8th paragraph at 24 at most. This makes at the utmost 64; and there are already 73 building. It does not seem to me that there is any necessity to build beforehand any greater number for the others are expressly stated in the message to be wanted only in case the U. States are at war. If any length of time was necessary to build such vessels, it might be proper to be at all times prepared with the whole number wanted. But of all the species of force which war may require, armies ships of war fortifications, & gunboats, there is none which can be obtained in a shorter time than

receipt of the letter of December 20th, addressed to me by yourself, and several other republican characters of your State of high respectability. I have seen with deep concern the afflicting oppression under which the republican citizens of Connecticut suffer from an unjust majority. The truths expressed in your letter have been long exposed to the nation through the channel of the public papers, and are the more readily believed because most of the States during the momentary ascendancy of kindred majorities in them, have seen the same spirit of oppression prevail.

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gunboats, & none therefore that it is less necessary to provide beforehand. I think that within sixty days, perhaps half the time, each of the seaports of Boston, New York, Philada & Baltimore might build & fit out thirty; and the smaller ports together as many; especially if the timber was prepared beforehand. But beyond that preparation I would not go: for exclusively of the first expense of building & the interest of capital thus laid out, I apprehend that notwithstanding the care which may be taken they will infallibly decay in a given number of years & will be a perpetual bill of costs for repairs and maintenance. Sheds will be of use provided the boats are built & not launched; but if once in the water they must share the fate of all other vessels whether public or private. It will be an economical measure for every naval nation to burn their navy at the end of a war, & to build a new one when again at war, if it was not that time is necessary to build ships of war. The principle is the same as to gunboats; and the objection of time necessary to build does not exist. I also think that in this as in everything else connected with a navy & naval departments, the annual expense of maintenance will far exceed what is estimated; and I would not be in the least astonished, if supposing two hundred gunboats were actually built, it should add half a million dollars a year to our annual expenses for the support of that establishment. I would therefore suggest that the latter part of this paragraph which contemplates the building of 123 in 2 years should be omitted: and at the end of the 8th paragraph to omit also the words 'without the expense for repairs or maintenance,' and to insert the substance of that part of the 7th paragraph which submits the question to the legislature, but with a modification so as to read in substance; with the legislature it will rest to decide on the number sufficient for the 'object & the time of building.'"

Indorsed 'recd Feb. 8th 07.'

With respect to the countervailing prosecutions now instituted in the Court of the U S in Connecticut, I had heard but little, & certainly, I believe, never expressed a sentiment on them. That a spirit of indignation and retaliation should arise when an opportunity should present itself, was too much within the human constitution to excite either surprise or censure, and confined to an appeal to truth only, it cannot lessen the useful freedom of the press.

As to myself, conscious that there was not a *truth* on earth which I feared should be known, I have lent myself willingly as the subject of a great experiment, which was to prove that an administration, conducting itself with integrity and common understanding, cannot be battered down, even by the falsehoods of a licentious press, and consequently still less by the press, as restrained within the legal & wholesome limits of truth. This experiment was wanting for the world to demonstrate the falsehood of the pretext that freedom of the press is incompatible with orderly government. I have never therefore even contradicted the thousands of calumnies so industriously propagated against myself. But the fact being once established, that the press is impotent when it abandons itself to falsehood, I leave to others to restore it to it's strength, by recalling it within the pale of truth. Within that it is a noble institution, equally the friend of science & of civil liberty. If this can once be effected in your State, I trust we shall soon see it's citizens rally to the republican principles of our Constitution, which unite their sister-States into

one family. It would seem impossible that an intelligent people, with the faculty of reading & right of thinking, should continue much longer to slumber under the pupilage of an interested aristocracy of priests & lawyers, persuading them to distrust themselves, & to let them think for them. I sincerely wish that your efforts may awaken them from this voluntary degradation of mind, restore them to a due estimate of themselves & their fellow-citizens, and a just abhorrence of the falsehoods & artifices which have seduced them. Experience of the use made by federalism of whatever comes from me, obliges me to suggest the caution of considering my letter as private. I pray you to present me respectfully to the other gentlemen who joined in the letter to me, & to whom this is equally addressed, and to accept yourself my salutations, & assurances of great esteem & consideration.

TO JOSEPH HOPPER NICHOLSON.[1] J. MSS.

WASHINGTON, February 20, 1807.

DEAR SIR,—I did not receive your letter of the 18th till this morning. I am as yet in possession of no evidence against Adair, which could convict him. Genl Wilkinson writes me that he would send the evidence against him & Ogden by the officer bringing them, and that officer informed Genl Dearborne (from Baltimore) that he was in possession of a large packet from Genl Wilkinson to me, which he was ordered to deliver into my hands only; and, on that, he was ordered to come on with his prisoners, that they and the evidence against them might be delivered up to the court here. If the evidence, however, be found conclusive, they can be arrested again, if it shall be worth while. Their

[1] A Judge of the Court of Appeals.

crimes are defeated, and whether they shall be punished or not belongs to another department, and is not the subject of even a wish on my part. Accept my friendly salutations, & assurances of great respect & esteem.

TO WILSON CARY NICHOLAS. J. MSS.

WASHINGTON, February 28, 1807.

DEAR SIR,—Your letter of Jan 20 was received in due time. But such has been the constant pressure of business, that it has been out of my power to answer it. Indeed, the subjects of it would be almost beyond the extent of a letter, and as I hope to see you ere long at Monticello, it can then be more effectually done verbally. Let me observe, however, generally, that it is impossible for my friends to render me ever so acceptable a favor, as by communicating to me, without reserve, facts & opinions. I have none of that sort of self-love which winces at it; indeed, both self-love & the desire to do what is best, strongly invite unreserved communication. There is one subject which will not admit a delay till I see you. Mr. T. M. Randolph is, I believe, determined to retire from Congress, and it is strongly his wish, & that of all here, that you should take his place. Never did the calls of patriotism more loudly assail you than at this moment. After excepting the federalists, who will be 27., and the little band of schismatics, who will be 3. or 4. (all tongue), the residue of the H of R is as well disposed a body of men as I ever saw collected. But there is no one whose talents & standing, taken together, have weight enough to give him

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the lead. The consequence is, that there is no one who will undertake to do the public business, and it remains undone. Were you here, the whole would rally round you in an instant, and willingly co-operate in whatever is for the public good. Nor would it require you to undertake drudgery in the House. There are enough, able & willing to do that. A rallying point is all that is wanting. Let me beseech you then to offer yourself. You never will have it so much in your power again to render such eminent service.

Accept my affectionate salutations and high esteem.

TO ROBERT BRENT.[1] J. MSS.

WASHINGTON, Mar 10, 1807.

SIR,—I have received your letter of yesterday, asking the application of a part of a late appropriation of Congress, to certain avenues and roads in this place.

The only appropriation ever before made by Congress to an object of this nature, was "to the public buildings & the highways *between* them. This ground was deliberately taken, and I accordingly restrained the application of the money to the avenue between the Capitol & the Executive buildings, and the roads round the two squares.

The last appropriation was in terms much more lax, to wit, "for avenues & roads in the district of Columbia." This, indeed, would take in a large field, but besides that we cannot suppose Congress intended to tax the people of the U S at large, for all the avenues in Washington & roads in Columbia; we know the fact to have been that the expression was strongly objected to, and was saved merely from a want of time to discuss, (the last day of the session,) and the fear of losing the whole bill.

[1] An official of the "Territory of Columbia," now known as the District.

But the sum appropriated (3000 D) shews they did not mean it for so large a field; for by the time the Pennsylva. avenue, between the two houses, is widened, newly gravelled, planted, brick tunnels instead of wood, the roads round the squares put in order, & that in the South front of the war office dug down to it's proper level, there will be no more of the 3000 D. left than will be wanting for constant repairs. With this view of the just and probable intention of the Legislature, I shall not think myself authorized to take advantage of a lax expression, forced on by circumstances, to carry the execution of the law into a region of expense which would merit great consideration before they should embark in it. Accept my friendly salutations, and assurances of great esteem and respect.

CIRCULAR LETTER TO THE GOVERNORS OF KENTUCKY, TENNESSEE, OHIO, AND MISSISSIPPI. J.MSS.

WASHINGTON, March 21, 1807.

SIR,—Altho the present state of things on the Western side of the Mississippi does not threaten any immediate collision with our neighbors in that quarter, and it is our wish they should remain undisturbed until an amicable adjustment may take place; yet as this does not depend on ourselves alone, it has been thought prudent to be prepared to meet any movements which may occur. The law of a former session of Congress, for keeping a body of 100,000 militia in readiness for service at a moment's warning, is still in force. But by an act of the last session, a copy of which I now enclose, the Executive is authorized to accept the services of such volunteers as shall offer themselves on the conditions of the act, which may render a resort to the former act unnecessary. It is for the execution of this act that I am now to solicit your zealous endeavors. The persons who shall engage will not be called from their homes until some aggression, committed or intended, shall render it necessary. When called into action, it will not be for a lounging, but for an active, & perhaps distant, service. I know the effect of this consideration in kindling that ardour which prevails for this service, & I count

on it for filling up the numbers requisite without delay. To yourself, I am sure, it must be as desirable as it is to me, to transfer this service from the great mass of our militia to that portion of them, to whose habits and enterprise active & distant service is most congenial. In using, therefore, your best exertions towards accomplishing the object of this act, you will render to your constituents, as well as to the nation, a most acceptable service.

With respect to the organizing and officering those who shall be engaged within your State, the act itself will be your guide; and as it is desirable that we should be kept informed of the progress in this business, I must pray you to report the same from time to time to the Secretary at War, who will correspond with you on all the details arising out of it.

I salute you with great consideration and respect.

TO THE UNITED STATES MINISTER TO GREAT BRITAIN.[1]

(JAMES MONROE.) J.MSS.

WASHINGTON, March 21, 1807.

DEAR SIR,—A copy of the treaty with Gr. Britain came to Mr. Erskine's hands on the last day of the session of Congress, which he immediately communicated to us; and since that Mr. Purviance has arrived with an original. On the subject of it you will receive a letter from the Secretary of State, of about this date, and one more in detail hereafter. I should not have written, but that I perceive uncommon efforts, and with uncommon wickedness, are making by the federal papers to produce mischief between myself, personally, & our negociators; and also

[1] In reference to the British treaty, Jefferson had previously written Madison:

"SUNDAY Feb. 1, '07.

"The more I consider the letter of our minister to London, the more seriously it impresses me. I believe the sine qua non we made is that of the nation, & that they would rather go on without a treaty than with one which does not settle this article. Under this dilemma, and at this stage of the business, had we not better take the advice of the Senate? I ask a meeting at 11 o'clock tomorrow, to consult on this question."

to irritate the British government, by putting a thousand speeches into my mouth, not one word of which I ever uttered. I have, therefore, thought it safe to guard you, by stating the view which we have given out on the subject of the treaty, in conversation & otherwise; for ours, as you know, is a government which will not tolerate the being kept entirely in the dark, and especially on a subject so interesting as this treaty. We immediately stated in conversation, to the members of the Legislature & others, that having, by a letter received in January, perceived that our ministers might sign a treaty not providing satisfactorily against the impressment of our seamen, we had, on the 3d of Feb., informed you, that should such an one have been forwarded, it could not be ratified, & recommending, therefore, that you should resume negociations for inserting an article to that effect; that we should hold the treaty in suspense until we could learn from you the result of our instructions, which probably would not be till summer, & then decide on the question of calling the Senate. We observed, too, that a written declaration of the British commissioners, given in at the time of signature, would of itself, unless withdrawn, prevent the acceptance of any treaty, because it's effect was to leave us bound by the treaty, and themselves totally unbound. This is the statement we have given out, and nothing more of the contents of the treaty has ever been made known. But depend on it, my dear Sir, that it will be considered as a hard treaty when it is known. The British commisrs appear to have screwed every article as far as it would bear, to have taken everything, & yielded nothing. Take out the 11th article, and the evil of all the others so much overweighs the good, that we should be glad to expunge the whole. And even the 11th article admits only that we may enjoy our right to the indirect colonial trade, *during the present hostilities*. If peace is made this year, and war resumed the next, the benefit of this stipulation is gone, and yet we are bound for 10. years, to pass no non-importation or non-intercourse laws, nor take any other measures to restrain the unjust pretentions & practices of the British. But on this you will hear from the Secretary of State. If the treaty cannot be put into acceptable form, then the next best thing is to back out of the negotiation as

well as we can, letting that die away insensibly; but, in the meantime, agreeing informally, that both parties shall act on the principles of the treaty, so as to preserve that friendly understanding which we sincerely desire, until the one or the other may be deposed to yield the points which divide us. This will leave you to follow your desire of coming home, as soon as you see the amendment of the treaty is desperate. The power of continuing the negociations will pass over to Mr. Pinckney, who, by procrastinations, can let it die away, and give us time, the most precious of all things to us. The government of New Orleans is still without such a head as I wish. The salary of 5000 D. is too small; but I am assured the Orleans legislature would make it adequate, would you accept it. It is the 2^{d} office in the U S in importance, and I am still in hopes you will accept it. It is impossible to let you stay at home while the public has so much need of talents. I am writing under a severe indisposition of periodical headache, with scarcely command enough of my mind to know what I write. As a part of this letter concerns Mr. Pinckney as well as yourself, be so good as to communicate so much of it to him; and with my best respects to him, to Mrs. Monroe and your daughter, be assured yourself, in all cases, of my constant & affectionate friendship & attachment.[1]

[1] Jefferson further wrote to Robert R. Livingston:

"WASHINGTON, March 24th, 1807.

"DEAR SIR,—The two receipts of Paucin's have come safely to hand. The account had been settled without difficulty. The Federal papers appear desirous of making mischief between us & England, by putting speeches into my mouth which I never uttered. Perceiving, by a letter received in January, that our comrs were making up their mind to sign a treaty which contained no provision against impressment, we immediately instructed them not to do so; & if done, to consider the treaty as not accepted, & to resume their negociations to supply an article against impressment. We therefore hold the treaty in suspense, until we hear what is done in consequence of our last instructions. Probably we shall not hear till midsummer, & we reserve till that time the question of calling the Senate. In the meantime, to shew the continuance of a friendly spirit, we continue the suspension of the non-importation act by proclamation. Another cause for not accepting the treaty was a written declaration by the British commrs at the time of signing, reserving a right, if we did not oppose the French decree to their satisfaction, to retaliate in their own way,

TO THE SECRETARY OF WAR. J. MSS.

(HENRY DEARBORN.)

March 29, 1807.

Many officers of the army being involved in the offence of intending a military enterprise against a nation at peace with the United States, to remove the whole without trial, by the para-

however it might affect the treaty; so that, in fact, we were to be bound, & they left free. I think, upon the whole, the emperor cannot be dissatisfied at the present state of things between us & England, & that he must rather be satisfied at our unhesitating rejection of a proposition to make common cause against him, for such in amount it was. Burr has indeed made a most inglorious exhibition of his much over-rated talents. He is now on his way to Richmond for trial. Accept my friendly salutations, & assurances of constant esteem & respect."

He also wrote to Levi Lincoln, March 25, 1807:

"I expect you are at a loss to understand the situation of the British treaty, on which the newspapers make so many speeches for me which I never made. It is exactly this. By a letter received from our negociators in January, we found they were making up their minds to sign a treaty containing no provision against the impressment of our seamen. We instantly (Feb. 3) instructed them not to do so; and that if such a treaty had been forwarded, it could not be ratified; that therefore they must immediately resume the negociations to supply that defect, as a *sine quâ non*. Such a treaty having come to hand, we of course suspend it, until we know the result of the instructions of Feb. 3, which probably will not be till mid-summer. We reserve ourselves till then to decide the question of calling the Senate. In the meantime, I have, by proclamation, continued the suspension of the non-importation law, as a proof of the continuance of friendly dispositions. There was another circumstance which would have prevented the acceptance of the treaty. The British Commissioners, at the time of signing, gave in a written declaration, that until they knew what we meant to do in the subject of the French decree, the king reserved to himself the right of not ratifying, and of taking any measures retaliating on France which he should deem proper, notwithstanding the treaty. This made the treaty binding on us; while he was loose to regard it or not, and clearly squinted at the expectation that we should join in resistance to France, or they would not regard the treaty. We rejected this idea unhesitatingly.

"I expected to have paid a short visit to Monticello before this, but have been detained by the illness of my son in-law, Mr. Randolph, and now by an attack of periodical headache on myself. This leaves me but an hour & a half each morning capable of any business at all. A part of this I have devoted to write you this letter, and to assure you of my constant friendship and respect."

mount authority of the executive, would be a proceeding of unusual severity. Some line must therefore be drawn to separate the more from the less guilty. The only sound one which occurs to me is between those who believe the enterprise was with the approbation of the government, open or secret, & those who meant to proceed in defiance of the government. Concealment would be no line at all, because all concealed it. Applying the line of *defiance* to the case of L Mead, it does not appear by any testimony I have seen, that he meant to proceed in defiance of the government, but, on the contrary, that he was made to believe the government approved of the expedition. If it be objected that he concealed a part of what had taken place in his communications to the Secretary at War, yet if a concealment of the whole would not furnish a proper line of distinction, still less would the concealment of a part. This too would be a removal for *prevarication* not for *unauthorized enterprise*, & could not be a proper ground for exercising the extraordinary power of removal by the President. On the whole, I think Lieutn Meade's is not a case for its exercise. Affectionate salutations.

TO THE U. S. MINISTER TO SPAIN. J. MSS.

(JAMES BOWDOIN.)

WASHINGTON, Apr. 2. 07.

DEAR SIR,—I wrote you on the 10th of July last, but neither your letter of Oct. 20, nor that of Nov. 15 mentioning the receipt of it, I fear it has miscarried. I therefore now enclose a duplicate, as that was to go under cover of the Secretary of State's dispatches by any vessel going from our distant ports. I retained the Polygraph therein mentioned for a safer conveyance. None such has occurred till now that the U. S. armed brig the Wasp, on her way to the Mediterranean is to touch at Falmouth with dispatches for our ministers at London, & at Brest with others for yourself & Genl. Armstrong. I shall deliver the Polygraph to the commander of the brig to be forwarded to you with this letter. You will find it a most invaluable Secretary, doing it's work with

correctness, facility & secrecy. I repeat my request of your acceptance of it as a mark of my esteem & respect.

You heard in due time from London of the signature of a treaty there between Gr. Br. & the U. S. by a letter we received in January from our Minister at London. We found they were making up their minds to sign a treaty in which no provision was made against the impressment of our seamen, contenting themselves with a note received in the course of their correspondence from the British negociators, assuring them of the discretion with which impressments should be conducted, which could be construed into a covenant only by inferences, against which it's omission in the treaty was a strong inference, and it's terms totally unsatisfactory. By a letter of Feb. 3. they were immediately informed that no treaty not containing a satisfactory article on that head, would be ratified and desiring them to resume the negociations on that point. The treaty having come to us actually in the inadmissible shape apprehended, we of course hold it up until we know the result of the instructions of Feb. 3. I have but little expectation that the British government will retire from their habitual wrongs in the impressment of our seamen, and a certainty that without that we will never tie up our hands by treaty from the right of passing a non-importation or non-intercourse act to make it her interest to become just. This may bring on a war of commercial restrictions. To shew however the sincerity or our desire for conciliation I have suspended the importation act. This state of things should be understood at Paris and every effort used on your part to accommodate our differences with Spain, under the auspices of France, with whom it is all important that we should stand in terms of the strictest cordiality. In fact we are to depend on her & Russia for the establishment of Neutral rights by the treaty of peace, among which should be that of taking no person by a belligerent out of a Neutral ship, unless they be the *souldiers* of an enemy. Never did a nation act towards another with more perfidy and injustice than Spain has constantly practised against us. And if we have kept our hands off her till now, it has been purely out of respect for France, & from the value we set on the friendship of France. We expect therefore from the friendship of the emperor that he

will either compel Spain to do us justice, or abandon her to us. We ask but one month to be in possession of the city of Mexico. No better proof of the good faith of the U. S. could have been given, than the vigour with which we have acted, & the expence incurred in suppressing the enterprise meditated lately by Burr against Mexico. Altho at first he proposed a separation of the Western country, & on that ground received encouragement & aid from Yrujo, according to the usual spirit of his government towards us. Yet he very early saw that the fidelity of the Western country was not to be shaken, and turned himself wholly towards Mexico and so popular is an enterprise on that country in this, that we had only to be still, & he could have had followers enough to have been in the city of Mexico in 6. weeks. You have doubtless seen my several messages to Congress, which give a faithful narrative of that conspiracy. Burr himself, after being disarmed by our endeavours of all his followers, escaped from the custody of the court of Missipi, but was taken near fort Stoddert, making his way to Mobile, by some country people, who brought him on as a prisoner to Richmond, where he is now under a course for trial. Hitherto we have believed our law to be that suspicion on probable grounds was sufficient cause to commit a person for trial, allowing time to collect witnesses till the trial, but the judges here have decided that conclusive evidence of guilt must be ready in the moment of arrest, or they will discharge the malefactor. If this is still insisted on, Burr will be discharged, because his crimes having been sown from Maine thro' the whole line of the Western waters to N. Orleans, we cannot bring the witnesses here under 4. months. The fact is that the Federalists make Burr's cause their own, and exert their whole influence to shield him from punishment, as they did the adherents of Miranda. And it is unfortunate that federalism is still predominant in our judiciary department, which is consequently in opposition to the legislative & Executive branches, & is able to baffle their measures often. Accept my friendly salutations & assurances of great esteem & respect.

TO THE SECRETARY OF STATE. J. MSS.

(JAMES MADISON.)

MONTICELLO, Apr. 14, 07.

DEAR SIR,—Mr. Rodney not being at Washington I send you the inclosed because it requires to be acted on immediately. I remember it was concluded that witnesses who should be brought from great distances, and carried from one scene of trial to another must have a reasonable allowance made for their expences & the money advanced. I expect it will be thought proper that the witnesses proving White's enlistment of men for Burr should be at his trial in Richmond. Be so good as to take the necessary measures to enable these men to come on. * * *

TO WILLIAM BRANCH GILES. J. MSS.

MONTICELLO, April 20, .07.

DEAR SIR,—Your favor of the 6th, on the subject of Burr's offences, was received only 4 days ago. That there should be anxiety & doubt in the public mind, in the present defective state of the proof, is not wonderful; and this has been sedulously encouraged by the tricks of the judges to force trials before it is possible to collect the evidence, dispersed through a line of 2000 miles from Maine to Orleans. The federalists, too, give all their aid, making Burr's cause their own, mortified only that he did not seperate the Union or overturn the goverment, & proving, that had he had a little dawn of success, they would have joined him to introduce his object, their favorite monarchy, as they would any other enemy, foreign or domestic, who could rid them of this hateful republic for any other government in exchange.

The first ground of complaint was the supine inat-

tention of the administration to a treason stalking through the land in open day. The present one, that they have crushed it before it was ripe for execution, so that no overt acts can be produced. This last may be true; tho' I believe it is not. Our information having been chiefly by way of letter, we do not know of a certainty yet what will be proved. We have set on foot an inquiry through the whole of the country which has been the scene of these transactions, to be able to prove to the courts, if they will give time, or to the public by way of communication to Congress, what the real facts have been. For obtaining this, we are obliged to appeal to the patriotism of particular persons in different places, of whom we have requested to make the inquiry in their neighborhood, and on such information as shall be voluntarily offered. Aided by no process or facilities from the *federal* courts, but frowned on by their new born zeal for the liberty of those whom we would not permit to overthrow the liberties of their country, we can expect no revealments from the accomplices of the chief offender. Of treasonable intentions, the judges have been obliged to confess there is probable appearance. What loophole they will find in it, when it comes to trial, we cannot foresee. Eaton, Stoddart, Wilkinson, and two others whom I must not name, will satisfy the world, if not the judges, on that head. And I do suppose the following overt acts will be proved. 1. The enlistment of men in a regular way. 2. The regular mounting of guard round Blennerhassett's island when they expected Governor Tiffin's men to

be on them, *modo guerrino arraiali.* 3. The rendezvous of Burr with his men at the mouth of the Cumberland. 4. His letter to the acting Governor of Mississippi, holding up the prospect of civil war. 5. His capitulation regularly signed with the aids of the Governor, as between two independent & hostile commanders.

But a moment's calculation will shew that this evidence cannot be collected under 4 months, probably 5, from the moment of deciding when & where the trial shall be. I desired Mr. Rodney expressly to inform the Chief Justice of this, inofficially. But Mr. Marshall says, 'more than 5 weeks have elapsed since the opinion of the Supreme court has declared the necessity of proving the overt acts, if they exist. Why are they not proved?' In what terms of decency can we speak of this? As if an express could go to Natchez, or the mouth of Cumberland, & return in 5 weeks, to do which has never taken less than twelve. Again, "If, in Nov. or Dec. last, a body of troops had been assembled on the Ohio, it is impossible to suppose the affidavits establishing the fact could not have been obtained by the last of March." But I ask the judge where they should have been lodged? At Frankfort? at Cincinnati? at Nashville? St. Louis? Natchez? New Orleans? These were the probable places of apprehension & examination. It was not known at *Washington* till the 26th of March that Burr would escape from the Western tribunals, be retaken & brought to an Eastern one; and in 5 days after, (neither 5. months nor 5. weeks, as the judge calcu-

lated,) he says, it is "impossible to suppose the affidavits could not have been obtained." Where? At Richmond he certainly meant, or meant only to throw dust in the eyes of his audience. But all the principles of law are to be perverted which would bear on the favorite offenders who endeavor to overrun this odious Republic. "I understand," sais the judge, "*probable* cause of guilt to be a case made out by *proof* furnishing good reason to believe," &c. Speaking as a lawyer, he must mean legal proof, i. e., proof on oath, at least. But this is confounding *probability* and *proof*. We had always before understood that where there was reasonable ground to believe guilt, the offender must be put on his trial. That guilty intentions were probable, the judge believed. And as to the overt acts, were not the bundle of letters of information in Mr. Rodney's hands, the letters and facts published in the local newspapers, Burr's flight, & the universal belief or rumor of his guilt, probable ground for presuming the facts of enlistment, military guard, rendezvous, threats of civil war, or capitulation, so as to put him on trial? Is there a candid man in the U S who does not believe some one, if not all, of these overt acts to have taken place?

If there ever had been an instance in this or the preceding administrations, of federal judges so applying principles of law as to condemn a federal or acquit a republican offender, I should have judged them in the present case with more charity. All this, however, will work well. The nation will judge both the offender & judges for themselves. If a member

of the Executive or Legislature does wrong, the day is never far distant when the people will remove him. They will see then & amend the error in our Constitution, which makes any branch independent of the nation. They will see that one of the great co-ordinate branches of the government, setting itself in opposition to the other two, and to the common sense of the nation, proclaims impunity to that class of offenders which endeavors to overturn the Constitution, and are themselves protected in it by the Constitution itself; for impeachment is a farce which will not be tried again. If their protection of Burr produces this amendment, it will do more good than his condemnation would have done. Against Burr, personally, I never had one hostile sentiment. I never indeed thought him an honest, frank-dealing man, but considered him as a crooked gun, or other perverted machine, whose aim or stroke you could never be sure of. Still, while he possessed the confidenee of the nation, I thought it my duty to respect in him their confidence, & to treat him as if he deserved it; and if this punishment can be commuted now for any useful amendment of the Constitution, I shall rejoice in it. My sheet being full, I perceive it is high time to offer you my friendly salutations, and assure you of my constant and affectionate esteem and respect.

TO THE SECRETARY OF STATE. J. MSS.

(JAMES MADISON.)

MONTICELLO, April 21, 1807.

DEAR SIR,—Yours of the 13th came to hand only yesterday, and I now return you the letters of Turreau, Yrujo, and Wood-

ward, and Mr. Gallatin's paper on foreign seamen. I retain Monroe & Pinckney's letters, to give them a more deliberate perusal than I can now before the departure of the post. By the next they shall be returned. I should think it best to answer Turreau at once, as he will ascribe delay to a supposed difficulty, & will be sure to force an answer at last. I take the true principle to be, that "for violations of jurisdiction, with the consent of the sovereign, or his voluntary sufferance, indemnification is due; but that for others he is bound only to use all *reasonable* means to obtain indemnification from the aggressor, which must be calculated on his circumstances, and these endeavors *bonâ fide* made; & failing, he is no further responsible." It would be extraordinary indeed if we were to be answerable for the conduct of belligerents through our whole coasts, whether inhabited or not.

Will you be so good as to send a passport to Julian V. Neimcewicz, an American citizen, of New Jersey, going to Europe on his private affairs? I have known him intimately for 20. years, the last 12. of which he has resided in the U S, of which he has a certificate of citizenship. He was the companion of Kosciusko. Be so good as to direct it to him at Elizabethtown, and without delay, as he is on his departure. Mr. Gallatin's estimate of the number of foreign seamen in our employ renders it prudent, I think, to suspend all propositions respecting our non-emploiment of them. As, on a consultation when we were all together, we had made up our minds on every article of the British treaty, and this of not employing their seamen was only mentioned for further inquiry & consideration, we had better let the negociations go on, on the ground then agreed on, & take time to consider this supplementary proposition. Such an addition as this to a treaty already so bad would fill up the measure of public condemnation. It would indeed be making bad worse. I am more & more convinced that our best course is, to let the negociation take a friendly nap, & endeavor in the meantime to practice on such of it's principles as are mutually acceptable. Perhaps we may hereafter barter the stipulation not to employ their seamen for some equivalent to our flag, by way of convention; or perhaps the general treaty of peace may do better for us, if we shall not, in

the meantime, have done worse for ourselves. At any rate, it will not be the worse for lying three weeks longer. I salute you with sincere affection.

P. S. Will you be so good as to have me furnished with a copy of Mr. Gallatin's estimate of the number of foreign seamen? I think he overrates the number of officers greatly.

TO THE SECRETARY OF STATE. J. MSS.

(JAMES MADISON.)

MONTICELLO, Apr 25, 07.

DEAR SIR,—Yours of the 20th came to hand on the 23d, and I now return all the papers it covered, to wit, Harris's, Maunce's, and General Smith's letters, as also some papers respecting Burr's case, for circulation. Under another cover is a letter from Governor Williams, confidential, & for yourself alone, as yet. I expect we shall have to remove Meade. Under still a different cover you will receive Monroe's & Pinckney's letters, detained at the last post. I wrote you then on the subject of the British treaty, which the more it is developed the worse it appears. Mr. Rodney being supposed absent, I enclose you a letter from Mr. Reed, advising the summoning Rufus Easton as a witness; but if he is at St. Louis, he cannot be here by the 22d of May. You will observe that Governor Williams asks immediate instructions what he shall do with Blennerhasset, Tyler, Floyd, & Ralston. I do not know that we can do anything but direct General Wilkinson to receive & send them to any place where the judge shall decide they ought to be tried. I suppose Blennerhasset should come to Richmond. On consulting with the other gentlemen, be so good as to write to Williams immediately, as a letter will barely get there by the 4th Monday of May. I enclose you a warrant for 5000 D. for Mr. Rodney, in the form advised by Mr. Gallatin.

We have had three great rains within the last 13. days. It is just now clearing off after 36. hours of rain, with little intermission. Yet it is thought not too much. I salute you with sincere affection.

TO THE SECRETARY OF STATE. J. MSS.

(JAMES MADISON.)

MONTICELLO, May 1, 07.

DEAR SIR,—I return you Monroe's, Armstrong's, Harris's, & Anderson's letters, & add a letter & act from Gov. McKean, to be filed in your office. The proposition for separating the western country, mentioned by Armstrong to have been made at Paris, is important. But what is the declaration he speaks of? for none accompanies his letter, unless he means Harry Grant's proposition. I wish our Ministers at Paris, London, & Madrid, could find out Burr's propositions & agents there. I know few of the characters of the new British administration. The few I know are true Pittites, & anti-American. From them we have nothing to hope, but that they will readily let us back out. Whether they can hold their places will depend on the question whether the Irish propositions be popular or unpopular in England. Dr. Sibley, in a letter to Gen. Dearborne, corrects an error of fact in my message to Congress of December. He says the Spaniards never had a single soldier at Bayou Pierre till Apr. 1805. Consequently it was not a keeping, but a taking of a military possession of that post. I think Gen. Dearborne would do will to desire Sibley to send us affidavits of that fact.

Our weather continues extremely seasonable, & favorable for vegetation. I salute you with sincere affection.

P. S. The pamphlet & papers shall be returned by next post.

TO THE SECRETARY OF STATE. J. MSS.

(JAMES MADISON.)

MONTICELLO, May 5, 07.

I return you the pamphlet of the author of War in Disguise. Of its first half, the topics & the treatment of them are very commonplace; but from page 118 to 130 it is most interesting to all nations, and especially to us. Convinced that a militia of all ages promiscously are entirely useless for distant service, and

that we never shall be safe until we have a selected corps for a year's distant service at least, the classification of our militia is now the most essential thing the U S have to do. Whether, on Bonaparte's plan of making a class for every year between certain periods, or that recommended in my message, I do not know, but I rather incline to his. The idea is not new, as you may remember, we adopted it once in Virginia during the revolution, but abandoned it too soon. It is the real secret of Bonaparte's success. Could S. H. Smith put better matter into his paper than the 12. pages above mentioned, & will you suggest it to him ? No effort should be spared to bring the public mind to this great point. I salute you with sincere affection.

TO WILLIAM SHORT[1]

May 19, 1807.

* * * My determination to retire is the result of mature reflections, and on various considerations, not the least weighty of these, is that a consciousness that a decline of physical faculties can not leave those mental entirely unimpaired ; and it will be happy for me if I am the first who shall become sensible of it. As to a successor there never will be a time when it will not produce some difficulty, and never less, I believe, than at present. That some of the Federalists should prefer my continuance to the uncertainty of a successor I can readily believe. There are among them men of candor who do not join in the clamor and condemnation of every thing, nor pretend that even chance never throws us on a right measure. There are some who know me personally and who give a credit to my intentions, which

[1] From the *Southern Bivouac*, II, 635.

they deny my understanding. Some who may fear a successor, preferring a military glory of a nation to the prosperity and happiness of its individuals. But to the mass of that political sect, it is not the less true, the 4th of March, 1809, will be a day of Jubilee, but it will be a day of greater joy to me. I never did them an act of injustice nor failed in any duty to them imposed by my office. Out of about six hundred offices named by the President there were six Republicans only when I came into office, and these were chiefly half-breeds. Out of upwards of three hundred holding during pleasure, I removed about fifteen or those who had signalized themselves by their own intolerance in office, because the public voice called for it imperiously, and it was just that the Republicans should at length have some participation in the government. There never was another removal but for such delinquencies as removed the Republicans equally. In this horrid drudgery I always felt myself as a public executioner, an office which no one who knows me, I hope, supposes very grateful to my feelings. It was considerably alleviated, however, by the industry of their newspapers in endeavoring to excite resentment enough to enable me to meet the operation. However, I hail the day which is to relieve me from being viewed as an official enemy. In private life I never had above one or two; to the friendship of that situation I look with delight. * * *

TO THE UNITED STATES DISTRICT ATTORNEY FOR VIRGINIA.

(GEORGE HAY.)[1] J. MSS.

WASHINGTON, May 20, 07.

DEAR SIR.—Dr. Bollman, on his arrival here in custody in Jan., voluntarily offered to make communications to me, which he accordingly did, Mr. Madison, also being present. I previously &

[1] For convenience all the letters written by Jefferson to Hay during the Burr trial follow:

WASHINGTON, May 26, 07.

"DEAR SIR,—We are at this moment informed by a person who left Richmond since the 22d, that the prosecution of Burr had begun under very inauspicious symptoms by the challenging & rejecting two members of the Grand Jury, as far above all exception as any two persons in the U. S. I suppose our informant is inaccurate in his terms, and has mistaken an objection by the criminal & voluntary retirement of the gentlemen with the permission of the court, for a challenge & rejection, which, in the case of a Grand Jury is impossible. Be this as it may, and the result before the formal tribunal, fair or false, it becomes our duty to provide that full testimony shall be laid before the Legislature, & through them the public. For this purpose, it is necessary that we be furnished with the testimony of every person who shall be with you as a witness. If the Grand Jury find a bill, the evidence given in court, taken as verbatim as possible, will be what we desire. If there be no bill, & consequently no examination before court, then I must beseech you to have every man privately examined by way of affidavit, and to furnish me with the whole testimony. In the former case, the person taking down the testimony as orally delivered in court, should make oath that he believes it to be substantially correct. In the latter case, the certificate of the magistrate administering the oath, and signature of the party, will be proper; and this should be done before they receive their compensation, that they may not evade examination. Go into any expense necessary for this purpose, & meet it from the funds provided by the Attorney general for the other expenses. He is not here, or this request would have gone from him directly. I salute you with friendship & respect."

WASHINGTON, May 28, 07.

"DEAR SIR,—I have this moment recd. your letter of the 25th, and hasten to answer it. If the grand jury do not find a bill against Burr, as there will be no examination before a petty jury, Bollman's pardon need not in that case to be delivered; but if a bill be found, and a trial had, his evidence is deemed entirely essential, & in that case his pardon is to be produced before he goes to the book. In my letter of the day before yesterday, I enclosed you Bollman's written communication to me, & observed you might go so far, if he prevaricated, as to

subsequently assured him, (without, however, his having requested it,) that they should never be used *against himself*. Mr. Madison on the same evening committed to writing, by memory, what he had said; & I moreover asked of Bollman to do it himself, which

ask him whether he did not say so & so to Mr. Madison and myself. On further reflection I think you may go farther, if he prevaricates grossly, & shew the paper to him, and ask if it is not his handwriting, & confront him by its contents. I enclose you some other letters of Bollman to me on former occasions, to prove by similitude of hand that the paper I enclosed on the 26th was of his handwriting. I salute you with esteem & respect."

WASHINGTON, June 2, 07.

"DEAR SIR,—While Burr's case is depending before the court, I will trouble you, from time to time, with what occurs to me. I observe that the case of Marbury *v.* Madison has been cited, and I think it material to stop at the threshold the citing that case as authority, and to have it denied to be law. 1. Because the judges, in the outset, disclaimed all cognizance of the case, altho' they then went on to say what would have been their opinion, had they had cognizance of it. This, then, was confessedly an extrajudicial opinion, and, as such, of no authority. 2. Because, had it been judicially pronounced, it would have been against law; for to a commission, a deed, a bond, *delivery* is essential to give validity. Until, therefore, the commission is delivered out of the hands of the Executive & his agents, it is not his deed. He may withhold or cancel it at pleasure, as he might his private deed in the same situation. The Constitution intended that the three great branches of the government should be co-ordinate, & independent of each other. As to acts, therefore, which are to be done by either, it has given no controul to another branch. A judge, I presume, cannot sit on a bench without a commission, or a record of a commission; & the Constitution having given to the judiciary branch no means of compelling the executive either to *deliver* a commission, or to make a record of it, shews it did not intend to give the judiciary that controul over the executive, but that it should remain in the power of the latter to do it or not. Where different branches have to act in their respective lines, finally & without appeal, under any law, they may give to it different and opposite constructions. Thus, in the case of William Smith, the H of R determined he was a citizen; and in the case of William Duane, (precisely the same in every material circumstance,) the judges determined he was no citizen. In the cases of Callendar & some others, the judges determined the sedition act was valid under the Constitution, and exercised their regular powers of sentencing them to fine & imprisonment. But the executive determined that the sedition act was a nullity under the Constitution, and exercised his regular power of prohibiting the execution of the sentence, or rather of executing the real law, which protected the acts of the defendants. From these different constructions of the same act by different

he did, & I now enclose it to you. The object is as he is to be a witness, that you may know how to examine him, & draw everything from him. I wish the paper to be seen & known only to yourself and the gentlemen who aid you, & to be re-

branches, less mischief arises than from giving to any one of them a control over the others. The executive & Senate act on the construction, that until delivery from the executive department, a commission is in their possession, & within their rightful power; and in cases of commissions not revocable at will, where, after the Senate's approbation & the President's signing & sealing, new information of the unfitness of the person has come to hand before the *delivery* of the commission, new nominations have been made & approved, and new commissions have issued.

"On this construction I have hitherto acted; on this I shall ever act, and maintain it with the powers of the government, against any control which may be attempted by the judges, in subversion of the independence of the executive & Senate within their peculiar department. I presume, therefore, that in a case where our decision is by the Constitution the supreme one, & that which can be carried into effect, it is the constitutionally authoritative one, and that that by the judges was *coram non judice*, & unauthoritative, because it cannot be carried into effect. I have long wished for a proper occasion to have the gratuitous opinion in Marbury *v.* Madison brought before the public, & denounced as not law; & I think the present a fortunate one, because it occupies such a place in the public attention. I should be glad, therefore, if, in noticing that case, you could take occasion to express the determination of the executive, that the doctrines of that case were given extrajudicially & against law, and that their reverse will be the rule of action with the executive. If this opinion should not be your own, I would wish it to be expressed merely as that of the executive. If it is your own also, you would of course give to the arguments such a development as a case, incidental only, might render proper. I salute you with friendship and respect."

WASHINGTON, June 5, 07.

"DEAR SIR,—Your favor of the 31st has been received, and I think it will be fortunate if any circumstance should produce a discharge of the present scanty grand jury, and a future summons of a fuller; tho' the same views of protecting the offender may again reduce the number to 16., in order to lessen the chance of getting 12. to concur. It is understood, that wherever Burr met with subjects who did not chuse to embark in his projects, unless approved by their government, he asserted that he had that approbation. Most of them took his word for it, but it is said that with those who would not, the following stratagem was practised. A forged letter, purporting to be from Genl. Dearborne, was made to express his approbation, and to say that I was absent at Monticello, but that there was no doubt that, on my return, my approbation of his enter-

turned to me. If he should prevaricate, I should be willing you should go so far as to ask him whether he did not say so & so to Mr. Madison & myself. In order to let him see that his prevarications will be marked, Mr. Madison will forward you a pardon

prises would be given. This letter was spread open on his table, so as to invite the eye of whoever entered his room, and he contrived occasions of sending up into his room those whom he wished to become witnesses of his acting under sanction. By this means he avoided committing himself to any liability to prosecution for forgery, & gave another proof of being a great man in little things, while he is really small in great ones. I must add General Dearborne's declaration, that he never wrote a letter to Burr in his life, except that when here, once in a winter, he usually wrote him a billet of invitation to dine. The only object of sending you the enclosed letters is to possess you of the fact, that you may know how to pursue it, if any of your witnesses should know anything of it. My intention in writing to you several times, has been to convey facts or observations occurring in the absence of the Attorney General, and not to make to the dreadful drudgery you are going through the unnecessary addition of writing me letters in answer, which I beg you to relieve yourself from, except when some necessity calls for it. I salute you with friendship & respect."

WASHINGTON, June 12, 07.

"SIR,—Your letter of the 9th is this moment received. Reserving the necessary right of the President of the U S to decide, independently of all other authority, what papers, coming to him as President, the public interests permit to be communicated, & to whom, I assure you of my readiness under that restriction, voluntarily to furnish on all occasions, whatever the purposes of justice may require. But the letter of Genl Wilkinson, of Oct 21, requested for the defence of Colonel Burr, with every other paper relating to the charges against him, which were in my possession when the Attorney General went on to Richmond in March, I then delivered to him; and I have always taken for granted he left the whole with you. If he did, & the bundle retains the order in which I had arranged it, you will readily find the letter desired, under the date of it's receipt, which was Nov 25; but lest the Attorney General should not have left those papers with you, I this day write to him to forward this one by post. An uncertainty whether he is at Philadelphia, Wilmington, or New Castle, may produce delay in his receiving my letter, of which it is proper you should be apprized. But, as I do not recollect the whole contents of that letter, I must beg leave to devolve on you the exercise of that discretion which it would be my right & duty to exercise, by withholding the communication of any parts of the letter, which are not directly material for the purposes of justice.

"With this application, which is specific, a prompt compliance is practicable. But when the request goes to 'copies of the orders issued in relation to Colo Burr, to the officers at Orleans, Natchez, &c. by the Secretaries of the War &

for him, which we mean should be delivered previously. It is suspected by some he does not intend to appear. If he does not, I hope you will take effectual measures to have him immediately taken into custody. Some other blank pardons are sent

Navy departments,' it seems to cover a correspondence of many months, with such a variety of officers, civil & military, all over the U S, as would amount to the laying open the whole executive books. I have desired the Secretary at War to examine his official communications; and on a view of these, we may be able to judge what can & ought to be done, towards a compliance with the request. If the defendant alleges that there was any particular order, which, as a cause, produced any particular act on his part, then he must know what this order was, can specify it, and a prompt answer can be given. If the *object* had been specified, we might then have had some guide for our conjectures, as to what part of the executive records might be useful to him; but, with a perfect willingness to do what is right, we are without the indications which may enable us to do it. If the researches of the Secretary at War should produce anything proper for communication, & pertinent to any point we can conceive in the defence before the court, it shall be forwarded to you.

"I salute you with respect and esteem."

"Note. On the same day I rec^{d} from the Sec^{r} at War copies of 2 letters to the Govr of Missipi, & Orleans, which I immediately inclosed to G. Hay."

WASHINGTON, June 17, 1807.

"SIR,—In answering your letter of the 9th, which desired a communication of one to me from Genl Wilkinson, specified by it's date, I informed you in mine of the 12th that I had delivered it, with all other papers respecting the charges against Aaron Burr, to the Attorney Genl, when he went to Richmond; that I had supposed he had left them in your possession, but would immediately write to him, if he had not, to forward that particular letter without delay. I wrote to him accordingly on the same day, but having no answer, I know not whether he has forwarded the letter. I stated in the same letter, that I had desired the Secretary at War to examine his office, in order to comply with your further request, to furnish copies of the orders which had been given respecting Aaron Burr and his property; and in a subsequent letter of the same day, I forwarded to you copies of two letters from the Secretary at War, which appeared to be within the description expressed in your letter. The order from the Secretary of the Navy, you said, you were in possession of. The receipt of these papers had, I presume, so far anticipated, and others this day forwarded will have substantially fulfilled the object of a subpœna from the District Court of Richmond, requiring that those officers & myself should attend the Court in Richmond, with the letter of Genl Wilkinson, the answer to that letter, & the orders of the departments of War & the Navy, therein generally described. No answer to Genl Wilkinson's letter, other than a mere acknolegment of it's re-

on to be filled up at your discretion, if you should find a defect of evidence, & believe that this would supply it, by avoiding to give them to the gross offenders, unless it be visible that the principal will otherwise escape. I send you an affidavit of importance

ceipt, in a letter written for a different purpose, was ever written by myself or any other. To these communications of papers, I will add, that if the defendant supposes there are any facts within the knolege of the Heads of departments, or of myself, which can be useful for his defence, from a desire of doing anything our situation will permit in furtherance of justice, we shall be ready to give him the benefit of it, by way of deposition, through any persons whom the Court shall authorize to take our testimony at this place. I know, indeed, that this cannot be done but by consent of parties; & I therefore authorize you to give consent on the part of the U S. Mr. Burr's consent will be given of course, if he supposes the testimony useful.

"As to our personal attendance at Richmond, I am persuaded the Court is sensible, that paramount duties to the nation at large control the obligation of compliance with their summons in this case; as they would, should we receive a similar one, to attend the trials of Blannerhassett & others, in the Mississippi territory, those instituted at St. Louis and other places on the western waters, or at any place, other than the seat of government. To comply with such calls would leave the nation without an executive branch, whose agency, nevertheless, is understood to be so constantly necessary, that it is the sole branch which the constitution requires to be always in function. It could not then mean that it should be withdrawn from it's station by any co-ordinate authority.

"With respect to papers, there is certainly a public & a private side to our offices. To the former belong grants of land, patents for inventions, certain commissions, proclamations, & other papers patent in their nature. To the other belong mere executive proceedings. All nations have found it necessary, that for the advantageous conduct of their affairs, some of these proceedings, at least, should remain known to their executive functionary only. He, of course, from the nature of the case, must be the sole judge of which of them the public interests will permit publication. Hence, under our Constitution, in requests of papers, from the legislative to the executive branch, an exception is carefully expressed, as to those which he may deem the public welfare may require not to be disclosed; as you will see in the enclosed resolution of the H of Representatives, which produced the message of Jan 22, respecting this case. The respect mutually due between the constituted authorities, in their official intercourse, as well as sincere dispositions to do for every one what is just, will always insure from the executive, in exercising the duty of discrimination confided to him, the same candor & integrity to which the nation has in like manner trusted in the disposal of it's judiciary authorities. Considering you as the organ for communicating these sentiments to the Court, I address them to you for that purpose, & salute you with esteem & respect."

received last night. If General Wilkinson gets on in time, I expect he will bring Dunbaugh on with him. At any rate it may be a ground for an arrest & commitment for treason. Accept my friendly salutations, & assurances of great esteem and respect.

WASHINGTON, June 19, 07.

"DEAR SIR,—Yours of the 17th was received last night. Three blank pardons had been (as I expect) made up & forwarded by the mail of yesterday, and I have desired 3. others to go by that of this evening. You ask what is to be done if Bollman finally rejects his pardon, & the Judge decides it to have no effect? Move to commit him immediately for treason or misdemeanor, as you think the evidence will support; let the Court decide where he shall be sent for trial; and on application, I will have the marshall aided in his transportation, with the executive means. And we think it proper, further, that when Burr shall have been convicted of either treason or misdemeanor, you should immediately have committed all those persons against whom you should find evidence sufficient, whose agency has been so prominent as to mark them as proper objects of punishment, & especially where their boldness has betrayed an inveteracy of criminal disposition. As to obscure offenders & repenting ones, let them lie for consideration.

"I enclose you the copy of a letter received last night, and giving singular information. I have inquired into the character of Graybell. He was an old revolutionary captain, is now a flour merchant in Baltimore, of the most respectable character, & whose word would be taken as implicitly as any man's for whatever he affirms. The letter writer, also, is a man of entire respectability. I am well informed, that for more than a twelvemonth it has been believed in Baltimore, generally, that Burr was engaged in some criminal enterprise, & that Luther Martin knew all about it. We think you should immediately despatch a subpœna for Graybell; & while that is on the road, you will have time to consider in what form you will use his testimony; *e. g.* shall L M be summoned as a witness against Burr, & Graybell held ready to confront him? It may be doubted whether we could examine a witness to discredit our own witness. Besides, the lawyers say that they are privileged from being forced to breaches of confidence, and that no others are. Shall we move to commit L M, as *particeps criminis* with Burr? Graybell will fix upon him misprision of treason at least. And at any rate, his evidence will put down this unprincipled & impudent federal bull-dog, and add another proof that the most clamorous defenders of Burr are all his accomplices. It will explain why L M flew so hastily to the aid of his 'honorable friend,' abandoning his clients & their property during a session of a principal court in Maryland, now filled, as I am told, with the clamors & ruin of his clients. I believe we shall send on Latrobe as a witness. He will prove that A B endeavored to get him to engage several thousand men, chiefly Irish emigrants, whom he had been in the habit of employing in the works he directs, under pretence of a canal opposite Louis-

TO DE WITT CLINTON. J. MSS.

WASHINGTON, May 24, 1807.

Th: Jefferson presents his compliments to Mr. Clinton, & his thanks for the pamphlet sent him.[1] He recollects the having read it at the time with a

ville, or of the Washita, in which, had he succeeded, he could with that force alone have carried everything before him, and would not have been where he now is. He knows, too, of certain meetings of Burr, Bollman, Yrujo, & one other whom we have never named yet, but have him not the less in our view.

"I salute you with friendship & respect.

"P. S. Will you send us half a dozen blank subpœnas?

"Since writing the within I have had a conversation with Latrobe. He says it was 500. men he was desired to engage. The pretexts were, to work on the Ohio canal, & be paid in Washita lands. Your witnesses will some of them prove that Burr had no interest in the Ohio canal, & that consequently this was a mere pretext to cover the real object from the men themselves, and all others. Latrobe will set out in the stage of to-morrow evening, & be with you Monday evening."

WASHINGTON, June 20, 1807.

"DEAR SIR,—Mr. Latrobe now comes on as a witness against Burr. His presence here is with great inconvenience dispensed with, as 150 workmen require his constant directions on various public works of pressing importance. I hope you will permit him to come away as soon as possible. How far his testimony will be important as to the prisoner, I know not; but I am desirous that those meetings of Yrujo with Burr and his principal accomplices, should come fully out, and judicially, as they will establish the just complaints we have against his nation.

"I did not see till last night the opinion of the Judge on the *subpœna duces tecum* against the President. Considering the question there as *coram non judice*, I did not read his argument with much attention. Yet I saw readily enough, that, as is usual where an opinion is to be supported, right or wrong, he dwells much on smaller objections, and passes over those which are solid. Laying down the position generally, that all persons owe obedience to subpœnas, he admits no exception unless it can be produced in his law books. But if the Constitution enjoins on a particular officer to be always engaged in a particular set of duties imposed on him, does not this supersede the general law, subjecting him to minor duties inconsistent with these? The Constitution enjoins his constant agency in the concerns of 6. millions of people. Is the law paramount to this, which calls on him on behalf of a single one? Let us apply

[1] This was "A Vindication of Thomas Jefferson, against the charges contained in a Pamphlet entitled Serious Considerations. By Grotius. N. Y. 1800."

due sense of his obligation to the author, whose name was surmised, tho' not absolutely known, and a conviction that he had made the most of his matter. The ground of defence might have been solidly aided

the Judge's own doctrine to the case of himself & his brethren. The sheriff of Henrico summons him from the bench, to quell a riot somewhere in his county. The federal judge is, by the general law, a part of the *posse* of the State sheriff. Would the Judge abandon major duties to perform lesser ones? Again; the court of Orleans or Maine commands, by subpœnas, the attendance of all the judges of the Supreme Court. Would they abandon their posts as judges, and the interests of millions committed to them, to serve the purposes of a single individual? The leading principle of our Constitution is the independence of the Legislature, executive and judiciary of each other, and none are more jealous of this than the judiciary. But would the executive be independent of the judiciary, if he were subject to the *commands* of the latter, & to imprisonment for disobedience; if the several courts could bandy him from pillar to post, keep him constantly trudging from north to south & east to west, and withdraw him entirely from his constitutional duties? The intention of the Constitution, that each branch should be independent of the others, is further manifested by the means it has furnished to each, to protect itself from enterprises of force attempted on them by the others, and to none has it given more effectual or diversified means than to the executive. Again; because ministers can go into a court in London as witnesses, without interruption to their executive duties, it is inferred that they would go to a court 1000. or 1500. miles off, and that ours are to be dragged from Maine to Orleans by every criminal who will swear that their testimony 'may be of use to him.' The Judge says, '*it is apparent* that the President's duties as chief magistrate do not demand his whole time, & are not unremitting.' If he alludes to our annual retirement from the seat of government, during the sickly season, he should be told that such arrangements are made for carrying on the public business, at and between the several stations we take, that it goes on as unremittingly there, as if we were at the seat of government. I pass more hours in public business at Monticello than I do here, every day; and it is much more laborious, because all must be done in writing. Our stations being known, all communications come to them regularly, as to fixed points. It would be very different were we always on the road, or placed in the noisy & crowded taverns where courts are held. Mr. Rodney is expected here every hour, having been kept away by a sick child.

"I salute you with friendship and respect."

WASHINGTON, June 23, 1807.

"DEAR SIR,—In mine of the 12th I informed you I would write to the Atty General to send on the letter of General Wilkinson of Oct. 21, referred to in my

by the assurance (which is the absolute fact) that the whole story fathered on Mazzei, was an unfounded falsehood. Dr. Linn, as aware of that, takes care to quote it from a dead man, who is made to quote from

message of Jany 22. He accordingly sent me a letter of that date, but I immediately saw that it was not the one desired, because it had no relation to the facts stated under that reference. I immediately, by letter, apprized him of this circumstance, and being since returned to this place, he yesterday called on me with the whole of the papers remaining in his possession, & he assured me he had examined carefully the whole of them, and that the one referred to in the message was not among them, nor did he know where it would be found. These papers have been recurred to so often, on so many occasions, and some of them delivered out for particular purposes, that we find several missing, without being able to recollect what has been done with them. Some of them were delivered to the Attorney of this district, to be used on the occasions which arose in the District Court, & a part of them were filed, as is said, in their office. The Atty General will examine their office to day, and has written to the District Attorney to know whether he retained any of them. No researches shall be spared to recover this letter, & if recovered, it shall immediately be sent on to you. Compiling the message from a great mass of papers, and pressed in time, the date of a particular paper may have been mistaken, but we all perfectly remember the one referred to in the message, & that its substance is there correctly stated. Genl Wilkinson probably has copies of all the letters he wrote me, & having expressed a willingness to furnish the one desired by the Court, the defendant can still have the benefit of it. Or should he not have the particular one on which that passage in the message is founded, I trust that his memory would enable him to affirm that it is substantially correct. I salute you with friendship & respect."

MONTICELLO, Aug. 7, 07.

"DEAR SIR,—I inclose you a letter received yesterday on the subject of Genl. Presley Nevil. With respect to both him & his son I believe there is no doubt of a participation in Burr's designs but I suppose that after the issue of the principal trial will be the proper time to decide what subordinate offenders may be laid hold of.

I learn by the newspapers that I am to have another *subpœna duces tecum* for Eaton's declaration. With respect to my personal attendance higher duties keep me here. During the present & ensuing months I am here to avoid the diseases of tide water situations and all communications on the business of my office, by arrangements which have been taken, will be daily received and transacted here. With respect to the paper in question it was delivered to the Attorney Genl with all the other papers relating to Burr. I have therefore

one residing in the remotest part of Europe. Equally false was Dr. Linn's other story about Bishop Madison's lawn sleeves, as the Bishop can testify, for certainly Th: J. never saw him in lawn sleeves. Had

neither that nor any of the others in my possession. Possibly the Atty Genl may have delivered it to you. If not, he has it, & he is the person to whom a subpœna to bring that or any others into court, may be at once addressed. I salute you with friendship & respect."

The most interesting of this series, however, is a mere draft of a letter to Hay, which may never have been sent, but which is of the utmost importance.

"The inclosed letter is written in a spirit of conciliation & with the desire to avoid conflicts of authority between the high branches of the govmt which would discredit it equally at home & abroad. That Burr & his counsel should wish to [struck out "divert the public attention from him to this battle of giants was to be"] convert his Trial into a contest between the judiciary & Exve Authorities was to be expected. But that the Ch. Justice should lend himself to it, and take the first step to bring it on, was not expected. Nor can it be now believed that his prudence or good sense will permit him to press it. But should he contrary to expectation, proceed to issue any process which should involve any act of force to be committed on the persons of the Exve or heads of depmts, I must desire you to give me instant notice, & by express if you find that can be quicker done than by post; and that moreover you will advise the marshall on his conduct, as he will be critically placed between us. His safest way will be to take no part in the exercise of any act of force ordered in this case. The powers given to the Exve by the constn are sufficient to protect the other branches from Judiciary usurpation of preeminence, & every individual also from judiciary vengeance, and the marshal may be assured of it's effective exercise to cover him. I hope however that the discretion of the C. J. will suffer this question to lie over for the present, and at the ensuing session of the legislature he may have means provided for giving to individuals the benefit of the testimony of the Exve functionaries in proper cases, without breaking up the government. Will not the associate judge assume to divide his court and procure a truce at least in so critical a conjuncture."

MONTICELLO, August 20, 1807.

"DEAR SIR,—I received yesterday your favor of the 11th. An error of the post office had occasioned the delay. Before an impartial jury, Burr's conduct would convict himself, were not one word of testimony to be offered against him. But to what a state will our law be reduced by party feelings in those who administer it? Why do not Blannerhassett, Dayton, &c., demand private & comfortable lodgings? In a country where an equal application of law to every condition of man is

the Doctor ventured to name time, place, & person, for his third lie, (the government without religion) it is probable he might have been convicted on that also. But these are slander & slanderers, whom Th: J. has

fundamental, how could it be denied to them? How can it ever be denied to the most degraded malefactor? The enclosed letter of James Morrison, covering a copy of one from Alston to Blannerhassett, came to hand yesterday. I enclosed them, because it is proper all these papers should be in one deposit, & because you should know the case & all its bearings, that you may understand whatever turns up in the cause. Whether the opinion of the letter writer is sound, may be doubted. For, however these, & other circumstances which have come to us, may induce us to believe that the bouncing letter he published, & the insolent one he wrote to me, were intended as blinds, yet they are not sufficient for legal conviction. Blannerhassett & his wife could possibly tell us enough. I commiserate the suffering you have to go through in such a season, and salute you with great esteem and respect."

MONTICELLO, Sep, 7, 07.

"DEAR SIR,—I received, late last night, your favor of the day before, and now re-enclose you the subpœna. As I do not believe that the district courts have a power of *commanding* the executive government to abandon superior duties & attend on them, at whatever distance, I am unwilling, by any notice of the subpœna, to set a precedent which might sanction a proceeding so preposterous. I enclose you, therefore, a letter, public & for the court, covering substantially all they ought to desire. If the papers which were enclosed in Wilkinson's letter may, in your judgment, be communicated without injury, you will be pleased to communicate them. I return you the original letter.

"I am happy in having the benefit of Mr. Madison's counsel on this occasion, he happening to be now with me. We are both strongly of opinion, that the prosecution against Burr for misdemeanor should proceed at Richmond. If defeated, it will heap coals of fire on the head of the Judge; if convicted, it will give time to see whether a prosecution for treason against him can be instituted in any, and what other court. But we incline to think, it may be best to send Blannerhasset & Smith (Israel) to Kentucky, to be tried both for the treason & misdemeanor. The trial of Dayton for misdemeanor may as well go on at Richmond.

"I salute you with great esteem & respect."

MONTICELLO, September 7, 1807.

"SIR,—Understanding that it is thought important that a letter of Nov. 12, 1806, from General Wilkinson to myself, should be produced in evidence on the charges against Aaron Burr, depending in the District Court now sitting in

thought it best to leave to the scourge of public opinion. He salutes Mr. Clinton with esteem & respect.

TO THE MARQUIS DE LAFAYETTE. J. MSS.

WASHINGTON, May 26, 07.

MY DEAR FRIEND,—I am a bad correspondent; but it is not from want of inclination, nor that I do nothing but that having too much to do, I leave undone that which admits delay with least injury. Your letter of Nov. 16 is just now received, and it gives me great pleasure that a person so well acquainted with the localities as M. Pitot has been able to give you so favorable an account of your lands. That his estimates will become just with a little time I believe, but I am also afraid his esteem for you may have

Richmond, I send you a copy of it, omitting only certain passages, the nature of which is explained in the certificate subjoined to the letter. As the attorney for the United States, be pleased to submit the copy & certificate to the uses of the Court. I salute you with great esteem and respect."

The certificate read:

"On re-examination of a letter of Nov. 12, 1806, from Genl. Wilkinson to myself, (which having been for a considerable time out of my possession, and now returned to me,) I find in it some passages entirely confidential, given for my information in the discharge of my executive functions, and which my duties & the public interest forbid me to make public. I have therefore given above a correct copy of all those parts which I ought to permit to be made public. Those not communicated are in nowise material for the purposes of justice on the charges of treason or misdemeanor depending against Aaron Burr; they are on subjects irrelevant to any issues which can arise out of those charges, & could contribute nothing towards his acquittal or conviction. The papers mentioned in the 1st and 3d paragraphs, as enclosed in the letters, being separated therefrom, & not in my possession, I am unable, from memory, to say what they were. I presume they are in the hands of the attorney for the U. S. Given under my hand this 7th day of September, 1807."

misled his judgment into some little anticipation of value. But I speak from ignorance, and he from knolege. I have no doubt Mr. Duplantier will make the best location possible. Indeed his zeal had in one instance led us to fear you would be injured by it. He had comprehended in his location not only the grounds vacant of all title in the vicinity of N. Orleans which had been a principal object in my eye to enable you speedily to raise a sum of money, but also grounds which had been reserved and were necessary for the range of the forts, which had been left open as a common for the citizens. Knowing this would excite reclamations dangerous to your interests, and threatening their popularity both there & here, I wrote immediately to Govr. Claiborne to get him to withdraw to a certain extent (about point blank shot) from the fort, the grounds within that being necessary for the public. But in the meantime an alarm was excited in the town and they instructed their representative in Congress to claim for the use of the town & public the whole of the vacant lands in it's vicinity. Mr. Gallatin however effected a compromise with him by ceding the grounds next to the fort, so as to leave your claim clear to all the lands we originally contemplated for you, as formerly explained to you. I very much wished your presence there during the late conspiracy of Burr. The native inhabitants were unshaken in their fidelity. But there was a small band of American adventurers who had fled from their debts, and who were longing to dip their hands into the mines of Mexico, enlisted in Burr's

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double project of attacking that country & severing our union. Had Burr had a little success in the upper country these parricides would have joined him. However the whole business has shewn that neither he nor they knew anything of the people of this country. A simple proclamation informing the people of these combinations, and calling on them to suppress them produced an instantaneous levee en masse of our citizens wherever there appeared anything to lay hold of, & the whole was crushed in one instant. It is certain that he never had one hundred men engaged in his enterprise, & most of these were made to believe the government patronized it. Which artifice had been practised by Miranda a short time before, and had decoyed about 30. Americans to engage in his unauthorized projects. Burr is now under trial for a misdemeanor, that is for his projected Mexican enterprise, and will be put on his trial for treason as soon as the witnesses can be collected, for his attempt to sever the Union, and unless his federal patrons give him an opportunity of running away, he will unquestionably be convicted on both prosecutions. The enterprise has done good by proving that the attachment of the people in the west is as firm as that in the East to the union of our country, and by establishing a mutual & universal confidence. Your presence at New Orleans would have been of value, as a point of union & confidence for the ancient inhabitants American as well as Creole. New Orleans itself is said to be unhealthy for strangers; but on the western side of the river is as healthy & fine a country

as in the universe. Your emperor has done more splendid things, but he never done one which will give happiness to so great a number of human beings as the ceding Louisiana to the U. S.

I wrote to Madame de Tesse on the 21st of Feb and at the same time sent a box of seeds, nuts, acorns &c. to Baltimore, which were forwarded to Bordeaux for her, to the care of Mr. Lee our consul there. I had done the same thing the preceding year. That vessel was taken by the English, detained, but got to France in April. It is so difficult in times of war to get anything carried safely across the Atlantic as to be very discouraging. I shall not fail, however, to repeat my endeavours as to such objects as are in our neighborhood here, until she has a plenty of them. I am panting for retirement, but am as yet nearly two years from that goal. The general solicitations I have received to continue another term give me great consolation, but considerations public as well as personal determine me inflexibly on that measure. Permit me to place here my most friendly respects to M. & Me de Tesse, & Me. de La Fayette, accept for yourself my salutations & assurances of sincere & affectionate esteem.

TO JOHN W. EPPES. J. MSS.

WASHINGTON, May 28, 07.

DEAR SIR,—Martin arrived here the night before last & delivered safely yours of the 22d. I learn with great pleasure the good health of yourself & the good

family of Eppington & particularly of our dear Francis. I have little fear but that he will outgrow those attacks which have given us such frequent uneasiness. I shall hope to see him well here next winter and that our grounds will be in such a state as to admit him to be more in the open air in the neighborhood of the house. Your mare is not as fat as she was, but is in good traveling order. I have advised Martin to go round by the bridge for fear of accident to the foal crossing in the boat. We have nothing new except an uncommonly friendly letter from the Bey of Tunis: and good reason to believe that Melli-Melli carried to his government favorable & friendly impressions. The news is now all with you. We have heard as yet only the proceedings of the 1st day of Burr's trial, which from the favor of the marshal & judge promises him all which can depend on them. A grand jury of 2 feds, 4 Quids & 10 republicans does not seem to be a fair representation of the state of Virginia. But all this will show the original error of establishing a judiciary independent of the nation, and which, from the citadel of the law can turn it's guns on those they were meant to defend, & controul & fashion their proceedings to it's own will. I have always entertained a high opinion of the marshal's integrity & political correctness. But in a state where there are not more than 8 Quids, how 5 of them should have been summoned on one jury is difficult to explain from accident. Affectionate salutations & constant esteem to you all.

TO THE SECRETARY OF TREASURY. J. MSS.

(ALBERT GALLATIN.)

June 1, '07.

I gave you, some time ago, a project of a more equal tariff on wines than that which now exists. But in that I yielded considerably to the faulty classification of them in our law. I have now formed one with attention, and according to the best information I possess, classing them more rigorously. I am persuaded that were the duty on cheap wines put on the same ratio with the dear, it would wonderfully enlarge the field of those who use wine, to the expulsion of whiskey. The introduction of a very cheap wine (St. George) into my neighborhood, within two years past, has quadrupled in that time the number of those who keep wine, and will ere long increase them tenfold. This would be a great gain to the treasury, & to the sobriety of our country. I will here add my tariff, wherein you will be able to chuse any rate of duty you please, and to decide whether it will not, on a fit occasion, be proper for legislative attention. Affectn salutns.

TO WILLIAM SHORT.[1]

June 12, 1807.

* * * The proposition in your letter of May 16th, as adding an umpire to our discordant negotiators at Paris, struck me favorably on reading it, and reflection afterward strengthened my first impressions. I made it, therefore, a subject of consultation with my coadjutors, as is our usage. For our government although in theory subject to be directed by the unadvised will of the President, is, and from its origin has been, a very different thing in practice. The minor business in each department is done by

[1] From the *Southern Bivouac*, II., 635.

the head of the department on consultation with the President alone; but all matters of importance or difficulty are submitted to all the heads of departments composing the cabinet. Sometimes, by the President's consulting them separately and successively, as they happen to call on him, but in the gravest cases calling them together, discussing the subject maturely, and finally taking the vote, on which the President counts himself but as one. So that in all important cases the Executive is in fact a directory, which certainly the President might control; but of this there was never an example either in the first or the present administration. I have heard, indeed, that my predecessor sometimes decided things against his counsel by dashing and trampling his wig on the floor. This only proves what you and I know, that he had a better heart than head.

* * * I see with extreme concern that you have received an impression that my attachment to you has become lessened and that you have drawn this inference from circumstances taking place while you were in Washington. What these circumstances could be is to me incomprehensible, but one thing I certainly know, that they have been misconstrued. That this change could not be previous to my retirement from the government in 1794, your appointments to France, to Holland, to Spain are proofs. And if, during my present place in the government, I have not met your desires, the public motives which have been frankly declared have given the real grounds. You think them not founded in fact; but

if the testimony we receive is of different complexions, neither should wonder at the difference of conclusion drawn by the other, and I do trust that you will become sensible that there is no necessity, at least, for supposing a change in affections, which are the same now as they have ever been. Certainly I shall not, on my part, permit a difference of view on a single subject to efface the recollections and attachments of a whole life. * * *

TO JOHN NORVELL. J. MSS.

WASHINGTON, June 14, 1807.

SIR,—Your letter of May 9 has been duly received. The subject it proposes would require time & space for even moderate development. My occupations limit me to a very short notice of them. I think there does not exist a good elementary work on the organization of society into civil government: I mean a work which presents in one full & comprehensive view the system of principles on which such an organization should be founded, according to the rights of nature. For want of a single work of that character, I should recommend Locke on Government, Sidney, Priestley's Essay on the first Principles of Government, Chipman's Principles of Government, & the Federalist. Adding, perhaps, Beccaria on crimes & punishments, because of the demonstrative manner in which he has treated that branch of the subject. If your views of political inquiry go further, to the sub-

jects of money & commerce, Smith's Wealth of Nations is the best book to be read, unless Say's Political Economy can be had, which treats the same subject on the same principles, but in a shorter compass & more lucid manner. But I believe this work has not been translated into our language.

History, in general, only informs us what bad government is. But as we have employed some of the best materials of the British constitution in the construction of our own government, a knolege of British history becomes useful to the American politician. There is, however, no general history of that country which can be recommended. The elegant one of Hume seems intended to disguise & discredit the good principles of the government, and is so plausible & pleasing in it's style & manner, as to instil it's errors & heresies insensibly into the minds of unwary readers. Baxter has performed a good operation on it. He has taken the text of Hume as his ground work, abridging it by the omission of some details of little interest, and wherever he has found him endeavoring to mislead, by either the suppression of a truth or by giving it a false coloring, he has changed the text to what it should be, so that we may properly call it Hume's history republicanised. He has moreover continued the history (but indifferently) from where Hume left it, to the year 1800. The work is not popular in England, because it is republican; and but a few copies have ever reached America. It is a single 4to. volume. Adding to this Ludlow's Memoirs, Mrs. M'Cauley's & Belknap's histories, a sufficient view

will be presented of the free principles of the English constitution.

To your request of my opinion of the manner in which a newspaper should be conducted, so as to be most useful, I should answer, 'by restraining it to true facts & sound principles only.' Yet I fear such a paper would find few subscribers. It is a melancholy truth, that a suppression of the press could not more compleatly deprive the nation of it's benefits, than is done by it's abandoned prostitution to falsehood. Nothing can now be believed which is seen in a newspaper. Truth itself becomes suspicious by being put into that polluted vehicle. The real extent of this state of misinformation is known only to those who are in situations to confront facts within their knolege with the lies of the day. I really look with commiseration over the great body of my fellow citizens, who, reading newspapers, live & die in the belief, that they have known something of what has been passing in the world in their time; whereas the accounts they have read in newspapers are just as true a history of any other period of the world as of the present, except that the real names of the day are affixed to their fables. General facts may indeed be collected from them, such as that Europe is now at war, that Bonaparte has been a successful warrior, that he has subjected a great portion of Europe to his will, &c., &c.; but no details can be relied on. I will add, that the man who never looks into a newspaper is better informed than he who reads them; inasmuch as he who knows nothing is nearer to truth than he whose mind is filled with

falsehoods & errors. He who reads nothing will still learn the great facts, and the details are all false.

Perhaps an editor might begin a reformation in some such way as this. Divide his paper into 4 chapters, heading the 1st, Truths. 2d, Probabilities. 3d, Possibillities. 4th, Lies. The first chapter would be very short, as it would contain little more than authentic papers, and information from such sources, as the editor would be willing to risk his own reputation for their truth. The 2d would contain what, from a mature consideration of all circumstances, his judgment should conclude to be probably true. This, however, should rather contain too little than too much. The 3d & 4th should be professedly for those readers who would rather have lies for their money than the blank paper they would occupy.

Such an editor too, would have to set his face against the demoralising practice of feeding the public mind habitually on slander, & the depravity of taste which this nauseous aliment induces. Defamation is becoming a necessary of life; insomuch, that a dish of tea in the morning or evening cannot be digested without this stimulant. Even those who do not believe these abominations, still read them with complaisance to their auditors, and instead of the abhorrence & indignation which should fill a virtuous mind, betray a secret pleasure in the possibility that some may believe them, tho they do not themselves. It seems to escape them, that it is not he who prints, but he who pays for printing a slander, who is it's real author.

These thoughts on the subjects of your letter are hazarded at your request. Repeated instances of the publication of what has not been intended for the public eye, and the malignity with which political enemies torture every sentence from me into meanings imagined by their own wickedness only, justify my expressing a solicitude, that this hasty communication may in nowise be permitted to find it's way into the public papers. Not fearing these political bull-dogs, I yet avoid putting myself in the way of being baited by them, and do not wish to volunteer away that portion of tranquillity, which a firm execution of my duties will permit me to enjoy.

I tender you my salutations, and best wishes for your success.

TO JAMES SULLIVAN. J. MSS.

(GOVERNOR OF MASSACHUSETTS).

WASHINGTON, JUNE 19, '07.

DEAR SIR,—In acknowleging the receipt of your favor of the 3d instant, I avail myself of the occasion it offers of tendering to yourself, to Mr. Lincoln & to your State, my sincere congratulations on the late happy event of the election of a republican Executive to preside over its councils. The harmony it has introduced between the legislative & executive branches, between the people & both of them, & between all & the General government, are so many steps towards securing that union of action & effort in all it's parts, without which no nation can be happy or safe. The just respect with which all the States

have ever looked to Massachusetts, could leave none of them without anxiety, while she was in a state of alienation from her family and friends. Your opinion of the propriety & advantage of a more intimate correspondence between the executives of the several States, & that of the Union, as a central point, is precisely that which I have ever entertained; and on coming into office I felt the advantages which would result from that harmony. I had it even in contemplation, after the annual recommendation to Congress of those measures called for by the times, which the Constitution had placed under their power to make communications in like manner to the executives of the States, as to any parts of them to which the legislatures might be alone competent. For many are the exercises of power reserved to the States, wherein an uniformity of proceeding would be advantageous to all. Such are quarantines, health laws, regulations of the press, banking institutions, training militia, &c., &c. But you know what was the state of the several governments when I came into office. That a great proportion of them were federal, & would have been delighted with such opportunities of proclaiming their contempt, & of opposing republican men & measures. Opportunities so furnished & used by some of the State Governments, would have produced an ill effect, & would have insured the failure of the object of uniform proceeding. If it could be ventured even now (Connecticut & Delaware being still hostile) it must be on some greater occasion than is likely to arise

within my time. I look to it, therefore, as a course which will probably be left to the consideration of my successor.

I consider, with you, the federalists as compleately vanquished, and never more to take the field under their own banners. They will now reserve themselves to profit by the schisms among republicans, and to earn favors from minorities, whom they will enable to triumph over their more numerous antagonists. So long as republican minorities barely accept their votes, no great harm will be done; because it will only place in power one shade of republicanism, instead of another. But when they purchase the votes of the federalists, by giving them a participation of office, trust & power, it is a proof that anti-monarchism is not their strongest passion. I do not think that the republican minority in Pennsylvania has fallen into this heresy, nor that there are in your State materials of which a minority can be made who will fall into it.

With respect to the tour my friends to the north have proposed that I should make in that quarter, I have not made up a final opinion. The course of life which Gen. Washington had run, civil & military, the services he had rendered, and the space he therefore occupied in the affections of his fellow citizens, take from his examples the weight of precedents for others, because no others can arrogate to themselves the claims which he had on the public homage. To myself, therefore, it comes as a new question, to be viewed under all the phases it may present. I confess that I am not reconciled to the idea of a chief magistrate

parading himself through the several States, as an object of public gaze, & in quest of an applause which, to be valuable, should be purely voluntary. I had rather acquire silent good will by a faithful discharge of my duties, than owe expressions of it to my putting myself in the way of receiving them. Were I to make such a tour to Portsmouth or Portland, I must do it to Savannah, perhaps to Orleans & Frankfort. As I have never yet seen the time when the public business would have permitted me to be so long in a situation in which I could not carry it on, so I have no reason to expect that such a time will come while I remain in office. A journey to Boston or Portsmouth, after I shall be a private citizen, would much better harmonize with my feelings, as well as duties; and, founded in curiosity, would give no claims to an extension of it. I should see my friends too more at our mutual ease, and be left more exclusively to their society. However, I end as I began, by declaring I have made up no opinion on the subject, & that I reserve it as a question for future consideration & advice.

In the meantime, and at all times, I salute you with great respect and esteem.

TO DOCTOR CASPAR WISTAR. J. MSS.

WASHINGTON, June 21, '07.

DEAR SIR,—I have a grandson, the son of Mr. Randolph, now about 15 years of age, in whose education I take a lively interest. His time has not

hitherto been employed to the greatest advantage, a frequent change of tutors having prevented the steady pursuit of any one plan. Whether he possesses that lively imagination, usually called genius, I have not had opportunities of knowing. But I think he has an observing mind & sound judgment. He is assiduous, orderly, & of the most amiable temper & dispositions. As he will be at ease in point of property, his education is not directed to any particular possession, but will embrace those sciences which give to retired life usefulness, ornament or amusement. I am not a friend to placing growing men in populous cities, because they acquire there habits & partialities which do not contribute to the happiness of their after life. But there are particular branches of science, which are not so advantageously taught anywhere else in the U. S. as in Philadelphia. The garden at the Woodlands for Botany, Mr. Peale's Museum for Natural History, your Medical school for Anatomy, and the able professors in in all of them, give advantages not to be found elsewhere. We propose, therefore, to send him to Philadelphia to attend the schools of Botany, Natural History, Anatomy, & perhaps Surgery; but not of Medicine. And why not of Medicine, you will ask? Being led to the subject, I will avail myself of the occasion to express my opinions on that science, and the extent of my medical creed. But, to finish first with respect to my grandson, I will state the favor I ask of you, which is the object of this letter.

Having been born & brought up in a mountainous & healthy country, we should be unwilling he should go

to Philadelphia until the autumnal diseases cease. It is important therefore for us to know, at what period after that, the courses of lectures in Natural history, Botany, Chemistry, Anatomy & Surgery begin and end, and what days or hours they occupy? The object of this is that we may be able so to marshal his pursuits as to bring their accomplishment within the shortest space practicable. I shall write to Doctor Barton for information as to the courses of natural history & botany but not having a sufficient acquaintance with professors of chemistry & surgery, if you can add the information respecting their school to that of your own, I shall be much obliged to you. What too are the usual terms of boarding? What the compensations to professors? And can you give me a conjectural estimate of other necessary expenses? In these we do not propose to indulge him beyond what is necessary, decent, & usual, because all beyond that leads to dissipation & idleness, to which, at present, he has no propensities. I think Mr. Peale has not been in the habit of receiving a boarder. His house & family would, of themselves, be a school of virtue & instruction; & hours of leisure there would be as improving as busy ones elsewhere. But I say this only on the possibility of so desirable a location for him, and not with the wish that the thought should become known to Mr. Peale, unless some former precedent should justify it's suggestion to him. I am laying a heavy tax on your busy time, but I think your goodness will pardon it in consideration of it's bearing on my happiness.

This subject dismissed, I may now take up that which it led to, and further tax your patience with unlearned views of medicine; which, as in most cases, are, perhaps, the more confident in proportion as they are less enlightened.

We know, from what we see & feel, that the animal body in it's organs and functions is subject to derangement, inducing pain, & tending to it's destruction. In this disordered state, we observe nature providing for the re-establishment of order, by exciting some salutary evacuation of the morbific matter, or by some other operation which escapes our imperfect senses and researches. She brings on a crisis, by stools, vomiting, sweat, urine, expectoration, bleeding, &c., which, for the most part, ends in the restoration of healthy action. Experience has taught us, also, that there are certain substances, by which, applied to the living body, internally or externally, we can at will produce these same evacuations, and thus do, in a short time, what nature would do but slowly, and do effectually, what perhaps she would not have strength to accomplish. Where, then, we have seen a disease, characterized by specific signs or phenomena, and relieved by a certain natural evacuation or process, whenever that disease recurs under the same appearances, we may reasonably count on producing a solution of it, by the use of such substances as we have found produce the same evacuation or movement. Thus, fulness of the stomach we can relieve by emetics; diseases of the bowels, by purgatives; inflammatory cases, by bleeding; intermittents, by the

Peruvian bark; syphilis, by mercury: watchfulness, by opium; &c. So far, I bow to the utility of medicine. It goes to the well-defined forms of disease, & happily, to those the most frequent. But the disorders of the animal body, & the symptoms indicating them, are as various as the elements of which the body is composed. The combinations, too, of these symptoms are so infinitely diversified, that many associations of them appear too rarely to establish a definite disease; and to an unknown disease, there cannot be a known remedy. Here then, the judicious, the moral, the humane physician should stop. Having been so often a witness to the salutary efforts which nature makes to re-establish the disordered functions, he should rather trust to their action, than hazard the interruption of that, and a greater derangement of the system, by conjectural experiments on a machine so complicated & so unknown as the human body, & a subject so sacred as human life. Or, if the appearance of doing something be necessary to keep alive the hope & spirits of the patient, it should be of the most innocent character. One of the most successful physicians I have ever known, has assured me, that he used more bread pills, drops of colored water, & powders of hickory ashes, than of all other medicines put together. It was certainly a pious fraud. But the adventurous physician goes on, & substitutes presumption for knolege. From the scanty field of what is known, he launches into the boundless region of what is unknown. He establishes for his guide some fanciful theory of corpuscular attraction, of chemical

agency, of mechanical powers, of stimuli, of irritability accumulated or exhausted, of depletion by the lancet & repletion by mercury, or some other ingenious dream, which lets him into all nature's secrets at short hand. On the principle which he thus assumes, he forms his table of nosology, arrays his diseases into families, and extends his curative treatment, by analogy, to all the cases he has thus arbitrarily marshalled together. I have lived myself to see the disciples of Hoffman, Boerhaave, Stalh, Cullen, Brown, succeed one another like the shifting figures of a magic lantern, & their fancies, like the dresses of the annual doll-babies from Paris, becoming, from their novelty, the vogue of the day, and yielding to the next novelty their ephemeral favor. The patient, treated on the fashionable theory, sometimes gets well in spite of the medicine. The medicine therefore restored him, & the young doctor receives new courage to proceed in his bold experiments on the lives of his fellow creatures. I believe we may safely affirm, that the inexperienced & presumptuous band of medical tyros let loose upon the world, destroys more of human life in one year, than all the Robinhoods, Cartouches, & Macheaths do in a century. It is in this part of medicine that I wish to see a reform, an abandonment of hypothesis for sober facts, the first degree of value set on clinical observation, and the lowest on visionary theories. I would wish the young practitioner, especially, to have deeply impressed on his mind, the real limits of his art, & that when the state of his patient gets beyond these, his office is to be a

watchful, but quiet spectator of the operations of nature, giving them fair play by a well-regulated regimen, & by all the aid they can derive from the excitement of good spirits & hope in the patient. I have no doubt, that some diseases not yet understood may in time be transferred to the table of those known. But, were I a physician, I would rather leave the transfer to the slow hand of accident, than hasten it by guilty experiments on those who put their lives into my hands. The only sure foundations of medicine are, an intimate knolege of the human body, and observation on the effects of medicinal substances on that. The anatomical & clinical schools, therefore, are those in which the young physician should be formed. If he enters with innocence that of the theory of medicine, it is scarcely possible he should come out untainted with error. His mind must be strong indeed, if, rising above juvenile credulity, it can maintain a wise infidelity against the authority of his instructors, & the bewitching delusions of their theories. You see that I estimate justly that portion of instruction which our medical students derive from your labors; &, associating with it one of the chairs which my old & able friend, Doctor Rush, so honorably fills, I consider them as the two fundamental pillars of the edifice. Indeed, I have such an opinion of the talents of the professors in the other branches which constitute the school of medicine with you, as to hope & believe, that it is from this side of the Atlantic, that Europe, which has taught us so many other things, will at length be led into sound princi-

ples in this branch of science, the most important of all others, being that to which we commit the care of health & life.

I dare say, that by this time, you are sufficiently sensible that old heads as well as young, may sometimes be charged with ignorance and presumption. The natural course of the human mind is certainly from credulity to scepticism; and this is perhaps the most favorable apology I can make for venturing so far out of my depth, & to one too, to whom the strong as well as the weak points of this science are so familiar. But having stumbled on the subject in my way, I wished to give a confession of my faith to a friend; & the rather, as I had perhaps, at times, to him as well as others, expressed my scepticism in medicine, without defining it's extent or foundation. At any rate, it has permitted me, for a moment, to abstract myself from the dry & dreary waste of politics, into which I have been impressed by the times on which I happened, and to indulge in the rich fields of nature, where alone I should have served as a volunteer, if left to my natural inclinations & partialities.

I salute you at all times with affection & respect.

TO THE SECRETARY OF WAR. J. MSS.

(HENRY DEARBORN.)

June, 22, 1807.

I suggest to you the following, as some of the ideas which might be expressed by Genl Wilkinson, in answering Govr Saludo's letter. The introductory and concluding sentiments will best flow from the General's own feelings of the personal standing between him & Govr Saludo:

On the transfer of Louisiana by France to the U. S. according to it's bound-

aries when possessed by France, the government of the U. S. considered itself entitled as far west as the Rio Norte; but understanding soon after that Spain, on the contrary, claimed eastwardly to the river Sabine, it has carefully abstained from doing any act in the intermediate country, which might disturb the existing state of things, until these opposing claims should be explained and accommodated amicably. But that the Red river and all its waters belonged to France, that she made several settlements on that river, and held them as a part of Louisiana until she delivered that country to Spain, & that Spain, on the contrary, had never made a single settlement on the river, are circumstances so well known & so susceptible of proof, that it was not supposed that Spain would seriously contest the facts, or the right established by them. Hence our government took measures for exploring that river, as it did that of the Missouri, by sending Mr. Freeman to proceed from the mouth upwards, and Lieutenant Pike from the source downwards, merely to acquire its geography, and so far enlarge the boundaries of science. For the day must be very distant when it will be either the interest or the wish of the U. S. to extend settlements into the interior of that country. Lt. Pike's orders were accordingly strictly confined to the waters of the Red river, &, from his known observance of orders, I am persuaded that it must have been, as he himself declares, by missing his way that he got on the waters of the Rio Norte, instead of those of the Red river. That your Excellency should excuse this involuntary error, & indeed misfortune, was expected from the liberality of your character; & the kindnesses you have shewn him are an honorable example of those offices of good neighborhood on your part, which it will be so agreeable to us to cultivate. Accept my thanks for them, & be assured they shall on all occasions meet a like return. To the same liberal sentiment L Pike must appeal for the restoration of his papers. You must have seen in them no trace of unfriendly views towards your nation, no symptoms of any other design than of extending geographical knolege; and it is not in the nineteenth century, nor through the agency of your Excellency, that science expects to encounter obstacles. The field of knolege is the common property of all mankind, and any discoveries we can make in it will be for the benefit of yours and of every other nation, as well as our own.

TO THE SECRETARY OF THE TREASURY.[1] J. MSS.

(ALBERT GALLATIN.)

WASHINGTON, June 25, 1807. 5.30 P.M.

DEAR SIR,—I am sorry to be obliged to hasten your return to this place, & pray that it may be without a moment's avoidable

[1] A letter of the same purport was written to Dearborn. Later the President wrote to Gallatin.

"July 1, 1807.

"I received last night your letter from Havre de Grace, in which you count on being here to-day by two o'clock. It will save a day in the measures we

delay. The capture of the Chesapeake by a British ship of war renders it necessary to have all our Council together. The mail is closing. Affectionate salutations.

TO THE GOVERNOR OF VIRGINIA. J. MSS.
(WILLIAM H. CABELL.)

WASHINGTON, June 29, 1807.

SIR,—Your favor by express was safely received on Saturday night, and I am thankful to you for the attention of which it is a proof. Considering the General and State governments as co-operators in the same holy concerns, the interest and happiness of our country, the interchange of mutual aid is among the most pleasing of the exercises of our duty. Captn. Gordon 2d in command of the Chesapeake, has arrived here with the details of that affair. Yet as the precaution you took of securing us against the accident of wanting information, was entirely proper, & the expense of the express justly a national one, I have directed him to be paid here, so that he is enabled to refund any money you may have advanced him. Mr. Gallatin & Genl. Dearborne happening to be absent, I have asked their immediate attendance here, and I expect them this day. We shall then determine on the course which the exigency and our constitutional powers call for. Whether the outrage is a proper cause of war, belonging exclusively to Congress, it is our duty not to commit them by doing anything which would have to be retracted. We may, however, exercise the powers entrusted to us for preventing future insults within our harbors, & claim firmly satisfaction for the past. This will leave Congress free to decide whether war is the most efficacious mode of redress in our case, or whether, having taught so many other useful lessons to Europe, we may not add that of showing them that there are peaceable means of repressing in-

may determine to take if I can see you soon after your arrival. If you arrive before half after three, come and take a family dinner with me, that I may put you in possession of what is under contemplation, so that you may have to reflect on it till to-morrow, when, as you will see by another note, I have asked a meeting. Affectionate salutations."

justice, by making it the interest of the aggressor to do what is just, and abstain from future wrong. It is probable you will hear from us in the course of the week. I salute you with great esteem and respect.[1]

[1] The following are the President's letters to the Governor of Virginia concerning the steps to be taken consequent upon the Chesapeake outrage:

WASHINGTON, July 8, '07.

SIR,—You will have received from the Secretary at War a letter, requesting that the quota of the State of Virginia of 100,000 militia be immediately organized and put in readiness for service at the shortest warning, but that they be not actually called out until further requisition. The menacing attitudes which the British ships of war have taken in Hampton Road, the actual blockade of Norfolk, & their having sounded the entrance, as if with a view to pass up to the city, render it necessary that we should be as well prepared there as circumstances will permit. The Secretary at War being gone to N York to arrange a plan of defence for that city, it devolves on me to request that, according to the applications you may receive from the officers charged with the protection of the place, and the information which you are more at hand to obtain than we are here, you will order such portions of the militia as you shall think necessary & most convenient to enter immediately on duty, for the defence of the place & protection of the country, at the expense of the U. S. We have, moreover, 4 gunboats hauled up at Hampton, & 4 others on the stocks in Matthews county, under the care of Commodore Samuel Barron, which we consider as in danger. I must request you also to order such aids of militia, on the application of that officer, as you shall think adequate to their safety. Any arms which it may be necessary to furnish to the militia for the present objects, if not identically restored to the State, shall be returned in kind or in value by the U S. I have thought I could not more effectually provide for the safety of the places menaced, than by committing it to your hands, as you are nearer the scene of action, have the necessary powers over the militia, can receive information, & give aid so much more promptly than can be done from this place. I will ask communications from time to time of your proceedings under this charge. I salute you with great esteem & respect.

WASHINGTON, July 19, 1807.

SIR,—Your letter of the 15th was received yesterday, and the opinion you have given to General Matthews against allowing any intercourse between the British Consul & the ships of his nation remaining in our waters, in defiance of our authority, is entirely approved. Certainly while they are conducting themselves as enemies *de facto*, intercourse should be permitted only as between enemies, by flags under the permission of the commanding officers, & with their passports. My letter of the 16th mentioned a case in which a communication from the British officers should be received if offered. A day or two ago, we

CHESAPEAKE PROCLAMATION. J. MSS.

[July 2, 1807.]

During the wars which for some time have unhappily prevailed among the powers of Europe, the US. of America, firm in their principles of peace, have endeavored by justice, by a regular discharge of all their national & social duties, and by every friendly

permitted a parent to go on board the Bellona with letters from the British minister, to demand a son impressed; and others equally necessary will occur, but they should be under the permission of some officer having command in the vicinity.

With respect to the disbanding some portion of the troops, altho I consider Norfolk as rendered safe by the batteries, the two frigates, the 8 gun-boats present, and 9 others & a bomb-vessel which will be there immediately, & consequently that a considerable proportion of the militia may be spared, yet I will pray you to let that question lie a few days, as in the course of this week we shall be better able to decide it. I am anxious for their discharge the first moment it can be done with safety, because I know the dangers to which their health will be exposed in that quarter in the season now commencing. By a letter of the 14th from Col. Tatham, stationed at the vicinities of Lynhaven Bay to give us daily information of what passes, I learn that the British officers & men often go ashore there, that on the day preceding, 100 had been at the pleasure-house in quest of fresh provisions & water, that negroes had begun to go off to them. As long as they remain there, we shall find it necessary to keep patroles of militia in the neighborhood sufficiently strong to prevent them from taking or receiving supplies. I presume it would be thought best to assign the tour for the three months to come, to those particular corps who being habituated to the climate of that part of the country, will be least likely to suffer in their health; at the end of which time others from other parts of the country may relieve them, if still necessary. In the meantime, our gun-boats may all be in readiness, and some preparations may be made on the shore, which may render their remaining with us not eligible to themselves. These things are suggested merely for consideration for the present, as by the close of the week I shall be able to advise you of the measures ultimately decided on. I salute you with friendship & respect.

WASHINGTON, July 24, 1807.

SIR,—Yours of the 20th has been duly received. The relation in which we stand with the British naval force within our waters is so new, that differences, of opinion are not to be wondered at respecting the captives, who are the subject of your letter. Are they insurgents against the authority of the laws? Are they public enemies, acting under the orders of their sovereign? or will it be more correct to take their character from the act of Congress for the preservation

office their situation admitted, to maintain, with all the belligerents, their accustomed relations of friendship, hospitality & commercial intercourse. Taking no part in the questions which animate these powers against each other, nor permitting them-

of peace in our harbors, which authorizes a qualified war against persons of their demeanor, defining it's objects, & limiting it's extent? Considering this act as constituting the state of things between us & them, the captives may certainly be held as prisoners of war. If we restore them it will be an act of favor, and not of any right they can urge. Whether Great Britain will give us that reparation for the past & security for the future, which we have categorically demanded, cannot as yet be foreseen; but we have believed we should afford an opportunity of doing it, as well from justice & the usage of nations, as a respect to the opinion of an impartial world, whose approbation & esteem are always of value. This measure was requisite, also, to produce unanimity among ourselves; for however those nearest the scenes of aggression & irritation may have been kindled into a desire for war at short hand, the more distant parts of the Union have generally rallied to the point of previous demand of satisfaction & war if denied. It was necessary, too, for our own interests afloat on the ocean, & under the grasp of our adversary; and, added to all this, Great Britain was ready armed & on our lines, while we were taken by surprise, in all the confidence of a state of peace, & needing time to get our means into activity. These considerations render it still useful that we should avoid every act which may precipitate immediate & general war, or in any way shorten the interval so necessary for our own purposes; and they render it advisable that the captives, in the present instance, should be permitted to return, with their boat, arms, &c., to their ships. Whether we shall do this a 2d, a 3d, or a 4th time, must still depend on circumstances. But it is by no means intended to retire from the ground taken in the proclamation. That is to be strictly adhered to. And we wish the military to understand that while, for special reasons, we restore the captives in this first instance we applaud the vigilance & activity which, by taking them, have frustrated the object of their enterprise, and urge a continuance of them, to intercept all intercourse with the vessels, their officers and crews, and to prevent, them from taking or receiving supplies of any kind; and for this purpose, should the use of force be necessary, they are unequivocally to understand that force is to be employed without reserve or hesitation. I salute you with great esteem & respect.

WASHINGTON, July 27, 1807.

SIR,—The Secretary at War having returned from New York, we have immediately taken up the question respecting the discharge of the militia, which was the subject of your two last letters, and which I had wished might remain undecided a few days. From what we have learnt of the conduct of the British squadron in the Chesapeake, since they have retired from Hamp-

selves to entertain a wish, but for the restoration of general peace, they have observed with good faith the neutrality they assumed, & they believe that no instance of departure from it's duties can be justly imputed to them by any nation. A free use of their har-

ton roads, we suppose that, until orders from England, they do not contemplate any further acts of hostility, other than those they are daily exercising, by remaining in our waters in defiance of the national authority, and bringing-to vessels within our jurisdiction. Were they even disposed to make an attempt on Norfolk, it is believed to be sufficiently secured by the two frigates Cybele and Chesapeake, by the 12 gun-boats now there, & 4 more from Matthews county expected,—by the works of Fort Nelson; to all of which we would wish a company of artillery, of the militia of the place, to be retained & trained, putting into their hands the guns used at Norfolk, and a company of Cavalry to be employed on the bay shore between Norfolk & Cape Henry, to cut off from these vessels all supplies, according to the injunctions of the proclamation, & to give immediate notice to Norfolk should any symptoms of danger appear,—to oppose which the militia of the borough and the neighboring counties should be warned to be in constant readiness to march at a moment's warning. Considering these provisions as quite sufficient for the safety of Norfolk, we are of opinion that it will be better immediately to discharge the body of militia now in service, both on that & the other side of James river. This is rendered expedient, not only that we may husband from the beginning those resources which will probably be put to a long trial, but from a regard to the health of those in service, which cannot fail to be greatly endangered during the sickly season now commencing, and the discouragement, which would thence arise, to that ardor of public spirit now prevailing. As to the details necessary on winding up this service, the Secretary at War will write fully, as he will, also, relative to the force retained in service, and whatever may hereafter concern them or their operations, which he possesses so much more familiarly than I do, & have been gone into by myself immediately, only on account of his absence on another service.

The diseases of the season incident to most situations on the tide-waters, now beginning to show themselves here, & to threaten some of our members, together with the probability of a uniform course of things in the Chesapeake, induce us to prepare for leaving this place during the two sickly months, as well for the purposes of health as to bestow some little attention to our private affairs, which is necessary at some time of every year. Our respective stations will be fixed & known, so that everything will find us at them, with the same certainty as if we were here; and such measures of intercourse will be established as that the public business will be carried on at them, with all the regularity & dispatch necessary. The present arrangements of the post office admit an interchange of letters between Richmond and Monticello twice a week, if necessary, and I propose that a third shall be established during the

bours and waters, the means of refitting & of refreshment, of succour to their sick & suffering, have, at all times, and on equal principles been extended to all: and this too while the officers of one of the belligerents received among us have been in a con-

two ensuing months, of which you shall be informed. My present expectation is to leave this place for Monticello, about the close of this or the beginning of the next week. The Secretary at War will continue in this neighborhood until we shall further see that the course of things in the Chesapeake will admit of his taking some respite. I salute you with great esteem and respect.

MONTICELLO, August 7, '07.

DEAR SIR,—Your letters of July 31 & Aug 5 were received yesterday. The ground taken in conformity with the Act of Congress, of considering as public enemies British armed vessels in or entering our waters, gives us the benefit of a system of rules, sanctioned by the practice of nations in a state of war, and consequently enabling us with certainty & satisfaction to solve the different cases which may occur in the present state of things. With these rules most officers are acquainted, and especially those old enough to have borne a part in the revolutionary war.

1. As to the enemy within our waters, intercourse, according to the usages of war, can only be by flag; and the ceremonies respecting that are usually a matter of arrangement between the adverse officers commanding in the neighborhood of each other. If no arrangement is agreed on, still the right of sending a flag is inherent in each party, whose discretion will direct him to address it to the proper adverse authority; as otherwise it would be subject to delay or rejection. Letters addressed by flag to persons in authority with the adverse power, may be sent sealed, & should be delivered. But, if to others, or to their own friends happening to be within the limits of the adversary, they must be open. If innocent in the judgment of the receiving officer, courtesy requires their delivery; if otherwise, they may be destroyed or returned by him; but in a case of only suspended amity, as ours, they should be returned. Letters sent from the interdicted vessels to their consul in Norfolk must be open; and the propriety of delivering them judged of by our officer, tempering his judgment however with liberality and urbanity. Those to their minister plenipoty here, sealed or unsealed, should be sent to the Secretary of State without any delay. As to the demand of fugitive slaves, it was the custom during the late war, for the owner to apply to our commander for a flag, and to go himself with that, to exhibit his claim and receive the fugitive. And with respect to Americans detained on board their ships, the application should be still, as heretofore, made through the Secretary of State, to whom proper documents are to be furnished. But without waiting for his application, the British officer, know ing them to be Americans & freemen, cannot but feel it a duty to restore them to their liberty on their own demand.

tinued course of insubordination to the laws, of violence to the persons, & of trespasses on the property of our citizens. These abuses of the laws of hospitality have become habitual to the Commanders of the British armed vessels hovering on our coasts

2. As to the residue of the British nation, with whom we are as yet in peace, their persons & vessels, unarmed, are free to come into our country without question or molestation. And even armed vessels, in distress, or charged, under due authority, with despatches addressed to the government of the U. S., or its authorized agents, are, by a proviso in the proclamation, to be received. This exception was meant to cover the British packets coming to New York, which are generally armed, as well as to keep open, through other channels, the communication between the governments. Such a vessel (as the Columbine) needs no flag, because she is not included in the interdict. Her repairs & supplies are to be regulated by the collector of the port, who may permit them liberally (if no abuse be justly suspected) so far as wanted to carry her back to the port from whence she came. The articles of intercourse, stay & departure, are to be specially superintended by such person as the government shall authorize & instruct.

I have thus far, in compliance with your request, stated the practice of nations so generally as to meet the cases which may arise in the neighborhood of Norfolk. In doing this, I may, in some cases, have mistaken the practice. Where I have done so, I mean that my opinion shall be subject to correction from that practice. On determining that the militia should be disbanded, except so small a portion as would require only a major to command, we concluded that so long as Capt. Decatur should remain in his present station, he should be the officer to receive, authorize & regulate intercourse by flag, with the British squadron in the Chesapeake. He has accordingly, I expect, received instructions to that effect, from the Secretary of the Navy, and I shall communicate to him a copy of this letter to assist him in that duty.

The Secretary at War, I presume, has written to you on the appointment of a Major to command the militia retained. In your selection of the officer, have no doubt you will be sensible of the importance of naming one of intelligence & activity as on him we are to rely for daily information from that interesting quarter.

MONTICELLO, August 11, 1807.

DEAR SIR,—Your favor of the 7th is received. It asks my opinion on several points of law arising out of the Act of Congress for accepting 30,000 volunteers. Altho' your own opinion, & those of some of your counsellors, more recent in the habit of legal investigation, would be a safer guide for you than mine, unassisted by my ordinary & able associates, yet I shall frankly venture my individual thoughts on the subject, and participate with you in any risk of disapprobation to which an honest desire of furthering the public good may expose us.

& frequenting our harbours; they have been the subject of repeated representations to their government; assurances have been given that proper orders should restrain them within the limit of the rights, & of the respect belonging to a friendly nation: but

In the construction of a law, even in judiciary cases of *meum et tuum*, where the opposite parties have a right & counter-right in the very words of the law, the Judge considers the intention of the law-giver as his true guide, and gives to all the parts & expressions of the law, that meaning which will effect, instead of defeating, it's intention. But in laws merely executive, where no private right stands in the way, and the public object is the interest of all, a much freer scope of construction, in favor of the intention of the law, ought to be taken, & ingenuity ever should be exercised in devising constructions, which may save to the public the benefit of the law. Its intention is the important thing: the means of attaining it quite subordinate. It often happens that, the Legislature prescribing details of execution, some circumstance arises, unforeseen or unattended to by them, which would totally frustrate their intention, were their details scrupulously adhered to, & deemed exclusive of all others. But constructions must not be favored which go to defeat instead of furthering the principal object of their law, and to sacrifice the end to the means. It being as evidently their intention that the end shall be attained as that it shall be effected by any given means, if both cannot be observed, we are equally free to deviate from the one as the other, and more rational in postponing the means to the end. In the present case, the object of the act of Congress was to relieve the militia at large from the necessity of leaving their farms & families, to encounter a service very repugnant to their habits, and to permit that service to be assumed by others ardently desiring it. Both parties, therefore, (& they comprehend the whole nation,) would willingly waive any verbal difficulties, or circumstances of detail, which might thwart their mutual desires, & would approve all those views of the subject which facilitate the attainment of their wishes.

It is further to be considered that the Constitution gives the executive a general power to carry the laws into execution. If the present law had enacted that the service of 30,000 volunteers should be accepted, without saying anything of the means, those means would, by the Constitution, have resulted to the discretion of the executive. So if means specified by an act are impracticable, the constitutional power remains, & supplies them. Often the means provided specially are affirmative merely, and, with the constitutional powers, stand well together; so that either may be used, or the one supplementary to the other. This aptitude of means to the end of a law is essentially necessary for those which are executive; otherwise the objection that our government is an impracticable one, would really be verified.

With this general view of our duty as executive officers, I proceed to the questions proposed by you.

those orders & assurances have been without effect; nor has a single instance of punishment for past wrongs taken place. Even the murder of a citizen, peaceably pursuing his occupations, within the limits of our jurisdiction. And at length a deed, transcending

1. Does not the act of Congress contemplate the association of companies to be formed before commissions can be issued to the Captains, &c.?

2. Can battalion or field-officers be appointed by either the State or Congressional laws, but to battalions or regiments actually existing.

3. The organization of the companies into battalions and regiments belonging to the President, can the Governor of the State issue commissions to these officers before that organization is made & announced to him?

4. Ought not the volunteers tendering their services, under the act of Feb. 24, 07, to be accepted by the President before the commissions can issue?

Had we no other executive powers but those given in this act, the 1st, 2d, & 3d questions would present considerable difficulties, inasmuch as the act of Congress does appear, as you understand it, to contemplate that the companies are to be associated, & the battalions, squadrons, regiments, brigades, & divisions organized, before commissions are to issue. And were we to stop here the law might stop also; because I verily believe that it will be the zeal & activity alone of those destined for commands, which will give form & body to the floating ardor of our countrymen to enter into this service, and bring their wills to a point of union & effect. We know from experience that individuals having the same desires are rarely brought into an association of them, unless urged by some one assuming an agency, & that in military associations the person of the officer is a material inducement. Whether our constitutional powers to carry the laws into execution, would not authorize the issuing a previous commission (as they would, had nothing been said about commissions in the law), is a question not necessary now to be decided; because they certainly allow us to do what will be equally effectual. We may issue instructions or warrants to the persons destined to be captains, &c., authorizing them to superintend the association of the companies, & to perform the functions of a captain &c., until commissions may be regularly issued, when such a commission will be given to the bearer, or a warrant authorizing the bearer to superintend the organization of the companies associated in a particular district, into battalions, squadrons, &c., and otherwise to perform the functions of a colol. &c., until a commission may regularly issue, when such a commission will be given to the bearer. This is certainly within the constitutional powers of the executive, and with such a warrant, I believe, the person bearing it would act with the same effect as if he had the commission.

As to the 4th question, the execution of this law having been transferred to the State Executives, I did consider all the powers necessary for it's execution as delegated from the President to them. Of this I have been so much persuaded that, to companies offering their services under this law, I have an-

all we have suffered, brings the public sensibility to a serious crisis, and forbearance to a necessary pause. A frigate of the US. trusting to a state of peace and leaving her harbor on a distant service, has been surprised and attacked by a British vessel

swered that the power of acceptance was in the Governor, and have desired them to renew their offer to him. If the delegation of this power should be expressly made, it is hereby fully delegated.

To the preceding I will add one other observation. As we might still be disappointed in obtaining the whole number of 11,563, were they apportioned among the several districts, & each restrained to it's precise apportionment (which some might fail to raise), I think it would better secure the complete object of the law to accept all proper offers, that the excess of some districts may supply the deficiencies of others. When the acceptances are all brought together, the surplus, if any, will be known, and, if not wanted by the U. S., may be rejected; and in doing this, such principles of selection may be adopted as, without any imputation of partiality, may secure to us the best offers. For example, 1. we may give a preference to all those who will agree to become regulars, if desired. This is so obviously for the public advantage that no one could object to it. 2. we may give a preference to 12 month volunteers over those for 6. months; and other circumstances of selection will of course arise from the face of the offers, such as distribution, geographical position, proportion of cavalry, riflemen, &c.

I have thus, without reserve, expressed my ideas on the several doubts stated in your letters, & I submit them to your consideration. They will need it the more, as the season and other circumstances occasioning the members of the administration to be in a state of separation at this moment, they go without the stamp of their aid & approbation. It is our consolation & encouragement that we are serving a just public, who will be indulgent to any error committed honestly, & relating merely to the means of carrying into effect what they have manifestly willed to be a law.

I salute you with great esteem and respect.

MONTICELLO, Sep. 7, 1807.

DEAR SIR,—I now return you Majr. Newton's letters. The intention of the squadron in the bay is so manifestly pacific, that your instructions to him are perfectly proper, not to molest their boats merely for approaching the shore. While they are giving up slaves & citizen seamen, & attempting nothing ashore, it would not be well to stop this by any new restriction. If they come ashore indeed, they must be captured, or destroyed if they cannot be captured, because we mean to enforce the proclamation rigorously in preventing supplies. So the instructions already given as to intercourse by flag, as to sealed & unsealed letters, must be strictly adhered to. It is so material that the seaport towns should have artillery militia duly trained, that I think you have done well to permit Captain Nestell's company to have powder and ball to exercise. With

of superior force, one of a squadron then lying in our waters to cover the transaction, & has been disabled from service with the loss of a number of men killed & wounded. This enormity was not only without provocation or justifiable cause; but was committed with the avowed purpose of taking by force from a ship of war of the US. a part of her crew: and that no circumstance might be wanting to make its character, the commander was apprised that the seamen thus forcibly were native citizens of the US. His purpose effected he returned to anchor with his squadron within our jurisdiction. Hospitality under such circumstances ceases to be a duty: and a continuance of it with such uncountrolled abuses would tend only, by multiplying injuries, & irritations, to bring on a rupture equally opposed to the interests of both nations, as to assurances of the most friendly dispositions on the part of the British government in the midst of which this outrage has been committed. The subject cannot but present itself to that government, & strengthen the motives to an honorable reparation of the wrong which has

respect to gun-carriages, furnaces & clothes, I am so little familiar with the details of the War department that I must beg those subjects to lie till the return of the Secretary at War, which will be in three weeks. Proposing to be absent from this place from the 9th to the 16th instant, our daily post will be suspended during that interval. I salute you with great esteem & respect.

WASHINGTON, Nov. 1, 1807.

DEAR SIR,—Your late letters have been regularly referred to the Secretary at War, who has already answered their several enquiries, or will do it immediately. I am inclined to believe that the departure of the British vessels from our waters must be in consequence of orders from England to respect the authorities of the country. Within about a fortnight we think we may expect answers from England which will decide whether this cloud is to issue in a storm or calm. Here we are pacifically inclined, if anything comes which will permit us to follow our inclinations. But whether we have peace or war, I think the present Legislature will authorize a complete system of defensive works, on such a scale as they think we ought to adopt. The state of our finances now permits this. To defensive works by land they will probably add a considerable enlargement of the force in gun-boats. A combination of these, will, I think, enable us to defend the Chesapeake at it's mouth, and save the vast line of preparation which the defence of all it's interior waters would otherwise require. I salute you with great esteem and respect.

been done, and that effectual controul, of its naval commanders which alone can justify the government of the US. in the exercise of those hospitalities it is now constrained to discontinue.

IN CONSIDERATION of these circumstances, and of the right of every nation to regulate it's own police, to provide for it's peace & for the safety of it's citizens, & consequently to refuse the admission of armed vessels into it's harbors or waters, either in such numbers, or of such descriptions, as are inconsistent with these, or with the maintenance of the authority of the laws, I have thought proper in pursuance of the authority specially given by law to issue this my PROCLAMATION, hereby requiring all armed vessels bearing commissions under the government of Great Britain now within the harbors or waters of the US. immediately & without any delay to depart from the same: and interdicting the entrance of all the said harbors & waters to the said armed vessels, & to all others bearing commissions under the authority of the British government.

And if the sd vessels or any of them, shall fail to depart as aforesaid, or if they or any others, so interdicted, shall hereafter enter the harbors or waters aforesaid, I do in that case forbid all intercourse with either or any of them, their officers or crews, & do prohibit all supplies & aid from being furnished to them or any of them.

And I do declare & make known that if any person from, or within, the jurisdictional limits of the US. shall afford any aid to any such vessel contrary to the prohibition contained in this proclamation, either in repairing any such vessel, or in furnishing her, her officers or crew, with supplies of any kind, or in any manner whatever, or if any pilot shall assist in navigating any of the said armed vessels, unless it be for the purpose of carrying them in the first instance, beyond the limits & jurisdiction of the US. or unless it be in the case of a vessel forced by distress, or charged with public dispatches as hereinafter provided for, such person or persons shall, on conviction, suffer all the pains and penalties by the laws provided for such offences.

And I do hereby enjoin & require all persons bearing office civil or military within or under the authority of the US., and all others, citizens or inhabitants thereof, or being within the same,

with vigilance & promptitude to exert their respective authorities & to be aiding & assisting to the carrying this Proclamation & every part thereof into full effect.

Provided nevertheless that if any such vessel shall be forced into the harbors or waters of the US. by distress, by the dangers of the sea, or by the pursuit of an enemy, or shall enter them charged with dispatches or business from their government, or shall be a public packet for the conveyance of letters and dispatches, the commanding officer, immediately reporting his vessel to the collector of the district, stating the object or causes of entering the sd harbors or waters, & conforming himself to the regulations in that case prescribed under the authority of the laws, shall be allowed the benefit of such regulations respecting repairs, supplies, stay, intercourse, & departure as shall be permitted under the same authority.

In testimony whereof I have caused the seal of the US. to be affixed to these presents & sign the same.

Given at the city of Washington the 2d day of July in the year of our lord 1807 and of the sovereignty & independence of the US. the 31st.[1]

[1] Madison's draft :

"A free use of their harbors & waters, the means of refitting & refreshment, of succor to their sick & suffering have at all times and on equal principles, been extended to all; and this too while the officers of one of the belligerents recd among us were in a continued course of insubordination to the laws, of violence to the persons of our citizens, and of trespasses on their property. These abuses of the laws of hospitality have become habitual to commanders of British armed ships hovering on our coasts and frequenting our harbors. They have been the subject of repeated representations to their govt.: assurances have been given that proper orders should restrain them within the limits of the rights & the respect due to a friendly nation: but these orders and assurances have been without effect; nor has a single instance of punishment of past wrongs taken place. Even the murder of a citizen peaceably pursuing his occupation within the limits of our jurisdiction remains unpunished; and omitting late insults as gross as language could offer, the public sensibility has at length been brought to a serious crisis by an act transcending all former outrages. A frigate of the U. S. which had just left her port on a distant service, trusting to a state of peace & *therefore unprepared for defence*, has been surprised and attacked by a vessel of superior force, being one of a squadron then lying in our waters to cover the transaction, & has been disabled for service

TO THE VICE-PRESIDENT OF THE UNITED STATES.

J. MSS.

(GEORGE CLINTON.)

WASHINGTON, July 6, '07.

DEAR SIR,—I congratulate you on your safe arrival with Miss Clinton at New York, & especially on your escape from British violence. This aggression is of a character so distinct from that on the Chesapeake, and of so aggravated a nature, that I consider it as a very material one to be presented with that to the British Government. I pray you, therefore, to write me a letter, stating the transaction, & in such a form as that it may go to that Government. At the same time, I must request you to instruct Mr. Gelston, from me, to take the affidavits of the Captain of the revenue cutter, & of such other persons as you shall direct stating the same affair, & to be forwarded, in like manner, to our Minister in London.

You will have seen by the proclamation, the measures adopted. We act on these principles, 1. That the usage of nations requires that we shall give the offender an opportunity of making reparation & avoiding war. 2. That we should give time to our merchants to get in their property & vessels & our seamen now afloat. And 3. That the power of declaring war being with the Legisla-

with the loss of a number of men killed & wounded. This enormity was not merely without provocation or any justifiable cause; it was committed with the avowed & insulting purpose of violating a ship of war under the American flag, and taking from her by force a part of her crew; a pretext the more flagrant as the British commander was not unapprised that the seamen in question were native citizens of the U. States. Having effected her lawless & bloody purpose, the British vessel returned immediately to anchor with her squadron within our jurisdiction. Hospitality under such circumstances ceases to be a duty; and a continuance of it with such uncontrouled abuses, would tend only by multiplying injuries & irritations, to bring on a rupture which it is the interest, and it is hoped the inclination of both nations to avoid. In this light the subject cannot but present itself to the British govt.; and strengthen the motives to an honorable reparation for the wrong which has been done, and to that effectual controul of its naval commanders, which alone can justify the govt. of the U. S. in the exercise of those hospitalities which it is constrained to discontinue, and maintain undiminished all the existing relations between the two nations."

Indorsed "Department of State Recd. June 29, 07 Proclmn."

ture, the executive should do nothing, necessarily committing them to decide for war in preference of non-intercourse, which will be preferred by a great many. They will be called in time to receive the answer from Great Britain, unless new occurrences should render it necessary to call them sooner.

I salute you with friendship & respect.

TO THE SECRETARY AT WAR. J. MSS

(HENRY DEARBORN.)

WASHINGTON, July 7, 1807.

DEAR SIR,—I enclose you copies of 2 letters sent by express from Capt. Decatur. By these you will perceive that the British commanders have their foot on the threshold of war. They have begun the blockade of Norfolk ; have sounded the passage to the town, which appears practicable for three of their vessels, & menace an attack on the Chesapeake and Cybele. These, with 4. gun-boats, form the present defence, & there are 4. more gun-boats in Norfolk nearly ready. The 4. gun-boats at Hampton are hauled up, & in danger, 4. in Mopjack bay are on the stocks. Blows may be hourly possible. In this state of things I am sure your own feelings will anticipate the public judgment, that your presence here cannot be dispensed with. There is nobody here who can supply your knowledge of the resources for land co-operation, & the means for bringing them into activity. Still, I would wish you would stay long enough at N York to settle with the V. P. & Colo. Williams, the plan of defence for that place ; & I am in hopes you will also see Fulton's experiments tried, & see how far his means may enter into your plan. But as soon as that is done, should matters remain in their present critical state, I think the public interest and safety would suffer by your absence from us. Indeed, if the present state of things continues, I begin to fear we shall not be justifiable in separating this autumn, & that even an earlier meeting of Congress than we had contemplated, may be requisite. I salute you affectionately.

TO THOMAS COOPER. J. MSS.

WASHINGTON, July 9, '07.

DEAR SIR,—Your favor of June 23 is received. I had not before learned that a life of Dr. Priestley had been published, or I should certainly have procured it; for no man living had a more affectionate respect for him. In religion, in politics, in physics, no man has rendered more service.

I had always expected that when the republicans should have put down all things under their feet, they would schismatize among themselves. I always expected, too, that whatever names the parties might bear, the real division would be into moderate & ardent republicanism. In this division there is no great evil,—not even if the minority obtain the ascendency by the accession of federal votes to their candidate; because this gives us one shade only, instead of another, of republicanism. It is to be considered as apostasy only when they purchase the votes of federalists, with a participation in honor & power. The gross insult lately received from the English has forced the latter into a momentary coalition with the mass of republicans; but the moment we begin to act in the very line they have joined in approving, all will be wrong, and every act the reverse of what it should have been. Still, it is better to admit their coalescence, & leave to themselves their short-lived existence. Both reason & the usage of nations required we should give Gr. Britain an opportunity of disavowing & repairing the insult of their officers. It gives us at the same time an opportunity of getting home our vessels, our property, & our sea-

men,—the only means of carrying on the kind of war we should attempt. The only difference, I believe, between your opinion & mine, as to the protection of commerce, is the forcing the nation to take the best road, & the letting them take the worse, if such is their will. I salute you with great esteem & respect.[1]

[1] Jefferson further wrote to Cooper:

"MONTICELLO, Sepr. 1, '07.

"DEAR SIR,—Your favor of the 9th is received, & with it the copy of Dr. Priestley's Memoirs, for which I return you many thanks. I shall read them with great pleasure, as I revered the character of no man living more than his. With another part of your letter I am sensibly affected. I have not here my correspondence with Govr. McKean to turn to, but I have no reason to doubt that the particular letter referred to may have been silent on the subject of your appointment as stated. The facts are these: The opinion I have ever entertained, & still entertain as strongly as ever, of your abilities & integrity, was such as made it my wish, from the moment I came to the administration, that you should be employed in some public way. On a review, however, of all circumstances, it appeared to me that the State of Pensylva had occasions for your service, which would be more acceptable than any others to yourself, because they would leave you in the enjoyment of the society of Dr. Priestley, to which your attachment was known. I therefore expressed my solicitude respecting you to Gov. McKean, whose desires to serve yourself & the public by employing you I knew to be great, & of course that you were an object of mutual concern, and I received his information of having found employment for your talents with the sincerest pleasure. But pressed as I am perpetually by an overflow of business, & adopting from necessity the rule of never answering any letter, or part of a letter, which can do without answer, in replying to his which related to other subjects, I probably said nothing on that, because my former letter had sufficiently manifested how pleasing the circumstance must be to me, and my time & practice did not permit me to be repeating things already said. This is a candid statement of that incident, and I hope you will see in it a silence accounted for on grounds far different from that of a continuance of my estimation & good wishes, which have experienced no change. With respect to the schism among the republicans in your State, I have ever declared to both parties that I consider the general government as bound to take no part in it, and I have carefully kept both my judgment, my affections, & my conduct, clear of all bias to either. It is true, as you have heard, that a distance has taken place between Mr. Clay & myself. The cause I never could learn nor imagine. I had always known him to be an able man, & I believed him an honest one. I had looked to his coming into Congress with an entire belief

TO THE SECRETARY OF THE TREASURY. J. MSS.
(ALBERT GALLATIN.)

July 10, 1807.

Something now occurs almost every day on which it is desirable to have the opinions of the heads of departments, yet to have a formal meeting every day would consume so much of their time as to seriously obstruct their regular business. I have proposed to them, as most convenient for them, & wasting less of their time, to call on me at any moment of the day which suits their separate convenience, when, besides any other business they may have to do, I can learn their opinions separately on any matter which has occurred, & also communicate the information received daily. Perhaps you could find it more convenient, sometimes, to make your call at the hour of dinner, instead of going so much further to dine alone. You will always find a plate & a sincere welcome. In this way, that is, successively, I have to-day consulted the other gentlemen on the question whether letters of marque were to be considered as within our interdict. We are unanimously of opinion they are not. We consider them as essentially *merchant vessels;* that commerce is their main object, and arms merely incidental & defensive. Affectionate salutations.

TO THE U. S. MINISTER TO SPAIN. J. MSS.
(JAMES BOWDOIN.)

WASHINGTON, July 10, '07.

DEAR SIR,—I wrote you on the 10th of July, 06, but supposing, from your not acknoleging the receipt of the letter, that it had miscarried, I sent a duplicate with my subsequent one of Apr. 2.

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that he would be cordial with the administration, and even before that I had always had him in my mind for a high important vacancy which had been from time to time expected, but is only now about to take place. I feel his loss therefore with real concern, but it is irremediable from the necessity of harmony & cordiality between those who are to manage together the public concerns. Not only his withdrawing from the usual civilities of intercourse with me, (which even the federalists with 2 or 3 exceptions keep up,) but his open hostility in Congress to the administration, leave no doubt of the state of his mind as a fact, altho' the cause be unknown. Be so good as to communicate my respects to Mr. Priestley, and to accept yourself my friendly salutations, & assurances of unaltered esteem."

These having gone by the Wasp, you will doubtless have received them. Since that, yours of May 1 has come to hand. You will see by the despatches from the department of State, carried by the armed vessel the Revenge, into what a critical state our peace with Gr. Britain is suddenly brought, by their armed vessels in our waters. Four vessels of war (3. of them two deckers) closely blockade Norfolk at this instant. Of the authority under which this aggression is committed, their minister here is unapprised. You will see by the proclamation of July 2, that (while we are not omitting such measures of force as are immediately necessary) we propose to give Gr. Br. an opportunity of disavowal & reparation, and to leave the question of war, non-intercourse, or other measures, uncommitted, to the Legislature. This country has never been in such a state of excitement since the battle of Lexington. In this state of things, cordial friendship with France, & peace at least with Spain, become more interesting. You know the circumstances respecting this last power, which have rendered it ineligible that you should have proceeded heretofore to your destination. But this obstacle is now removed by their recall of Yrujo, & appointment of another minister, & in the meantime, of a chargé des affaires, who has been received. The way being now open for taking your station at Madrid, it is certainly our wish you should do so, and that this may be more agreeable to you than your return home, as is solicited in yours of May 1. It is with real unwillingness we should relinquish the benefit of your services. Nevertheless, if your mind is decidedly bent on that, we shall regret, but not oppose your return. The choice, therefore, remains with yourself. In the meantime, your place in the joint commission being vacated by either event, we shall take the measures rendered necessary by that. We have seen, with real grief, the misunderstanding which has taken place between yourself & Gen. Armstrong. We are neither qualified nor disposed to form an opinion between you. We regret the pain which must have been felt by persons, both of whom hold so high a place in our esteem, and we have not been without fear that the public interest might suffer by it. It has seemed, however, that the state of Europe has been such as to admit little to be done, in matters so distant from them.

The present alarm has had the effect of suspending our foreign commerce. No merchant ventures to send out a single vessel; and I think it probable this will continue very much the case till we get an answer from England. Our crops are uncommonly plentiful. That of small grain is now secured south of this, and the harvest is advancing here.

Accept my salutations, & assurances of affectionate esteem & respect.

TO BARNABAS BIDWELL. J. MSS.

WASHINGTON, July 11, 07.

DEAR SIR,—Yours of June 27 has been duly received, and altho' wishing your happiness always, I cannot be altogether unpleased with a transfer of your services to a department more pleasing to yourself, yet I cannot but lament your loss in Congress. You know that talents cannot be more useful anywhere than there; and the times seem to portend that we may have occasion there for all we possess. You have long ago learnt the atrocious acts committed by the British armed vessels in the Chesapeake & it's neighborhood. They cannot be easily accommodated, altho it is believed that they cannot be justified by orders from their government. We have acted on these principles; 1, to give that government an opportunity to disavow & make reparation; 2, to give ourselves time to get in the vessels, property & seamen, now spread over the ocean; 3, to do no act which might compromit Congress in their choice between war, non-intercourse, or any other measure. We shall probably call them some time in October, having regard to the return of the healthy season, and to the receipt of an answer from Great Britain, be-

fore which they could only act in the dark. In the meantime we shall make all the preparations which time will permit, so as to be ready for any alternative.

The officers of the British ships, in a conference with a gentleman sent to them by the Mayor of Norfolk, have solemnly protested they mean no further proceeding without further orders. But the question is whether they will obey the proclamation? If they do not, acts of force will probably ensue; still these may lead to nothing further, if their government is just. I salute you with great affection.

TO JOHN W. EPPES. J. MSS.

WASHINGTON, July 12, 07.

DEAR SIR,—Yours of the 3d is received. At that time I presume you have not got mine of June 19 asking the favor of you to procure me a horse. I have lost three since you left this place. However I can get along with the three I have remaining so as to give time for looking for a fourth suitable in as many points as can be obtained. My happiness at Monticello (if I am able to go there) will be lessened by not having yourself & Francis there. But the circumstance which prevents it is among the most painful that have happened to me in life. Thus comfort after comfort drops off from us, till nothing is left but what is proper food for the grave. I trust however we shall have yourself & Francis the ensuing winter & the one following that, and we must let the aftertime provide for itself. He will ever be to me one of the dearest objects in life.

The affair of the Chesapeake seems to have come in as an interlude during the suspension of Burr's trial. I suspect it will turn out that the order Barclay received from his government was in equivocal terms, implying force or not, as should suit them to say, and & the construction would be governed by Bonaparte's successes or misfortunes. I know that Barclay's order to the ships under him was of that character. However their orders are to be nothing in our eye. The fact is what they have to settle with us. Reason & the usage of civilized nations require that we should give them an opportunity of disavowal & reparation. Our own interest too, the very means of making war, requires that we should give time to our merchants to gather in their vessels & property & our seamen now afloat. And our duty requires that we do no act which shall commit Congress in their choice between war, non-intercourse & other measures. You will be called as early as the circumstances of health, & of an answer from England will recommend. Probably some time in October. Should that country have the good sense to do us ample justice, it will be a war saved. But I do not expect it, and every preparation therefore is going on & will continue, which is within our power. A war need cost us very little; and we can take from them what would be an indemnification for a great deal. For this everything shall be in readiness at the moment it is declared. I have not yet heard how Commodore Douglass has taken the proclamation. That he will obey it I doubt. Should he not, the moment our 16 gunboats in that quarter are ready, they will be able to take off all his small

vessels, & to oblige his large ones to keep together. I count on their being all ready before the end of this month; & by that time we shall have 32 in New York, and a good provision of batteries along the shores of the city; for to waste labor in defending the approaches to it would be idle. The only practicable object is to prevent ships coming to before it. We have nothing interesting to us from either London, Paris or Madrid, except that Yrujo leaves us, and a successor is to come. In the mean time we have received Foronda as charge des affaires, a most able and amiable man. In consequence of this Bowdoin will probably go on to Madrid. We shall thus avoid the mischief which the dissensions between him & Armstrong were likely to produce. Present my warm affections to Mr. & Mrs. Eppes & to the family, & accept the same for yourself.

UNIVERSITY OF CALIFORNIA

TO THE SECRETARY AT WAR. J. MSS.

(HENRY DEARBORN.)

WASHINGTON, July 13, 07.

DEAR SIR,—I wrote you on the 7th; since that we learn that the Bellona & Leopard remaining in Hampton Road, the other two vessels have returned to the Capes of Chesapeake, where they have been reinforced by another frigate and a sloop of war, we know not from whence. This induces us to suppose they do not mean an immediate attack on Norfolk, but to retain their present position till further orders from their Admiral. I am inclined to think that the body of militia now in the field in Virginia would need to be regulated according to these views. They are in great want of artillery, the State possessing none. Their subsistence also, & other necessary expenses, require immediate attention from us, the finances of the State not being at all in a

condition to meet these calls. We have some applications for the loan of field-pieces. The transportation of heavy cannon to Norfolk & Hampton, is rendered difficult by the blockade of those ports. These things are of necessity reserved for your direction on your return, as nobody here is qualified to act in them. It gives me sincere concern that events should thus have thwarted your wishes. Should the Bellona and Leopard retire, & a disposition be shown by the British commanders to restore things to a state of peace until they hear from their government, we may go into summer quarters without injury to the public safety, having previously made all necessary arrangements. But if the present hostile conduct is pursued, I fear we shall be obliged to keep together, or at least within consulting distance. I salute you with sincere affection & respect.

TO DUPONT DE NEMOURS. J. MSS.

WASHINGTON, July 14, 1807.

MY DEAR SIR,—I received last night your letter of May 6, and a vessel being just now sailing from Baltimore, affords me an opportunity of hastily acknoleging it. Your exhortation to make a provision of arms is undoubtedly wise, and we have not been inattentive to it. Our internal resources for cannon are great, and those for small arms considerable, & in full emploiment. We shall not suffer from that want, should we have war; and of the possibility of that you will judge by the enclosed proclamation, & by what you know of the character of the English government. Never since the battle of Lexington have I seen this country in such a state of exasperation as at present, and even that did not produce such unanimity. The federalists themselves coalesce with us as to the object, tho' they will return to their trade of censuring

every measure taken to obtain it. 'Reparation for the past, and security for the future,' is our motto; but whether they will yield it freely, or will require resort to non-intercourse, or to war, is yet to be seen. We prepare for the last. We have actually 2,000 men in the field, employed chiefly in covering the exposed coast, & cutting off all supply to the British vessels. We think our gun-boats at New York, (32,) with heavy batteries along shore, & bombs, will put that city *hors d' insulte.* If you could procure & send me a good description & drawing of one of your Prames, you would do me a most acceptable service. I suppose them to be in fact a floating battery, rendered very manageable by oars.

Burr's conspiracy has been one of the most flagitious of which history will ever furnish an example. He had combined the objects of separating the western States from us, of adding Mexico to them, and of placing himself at their head. But he who could expect to effect such objects by the aid of American citizens, must be perfectly ripe for Bedlam. Yet altho' there is not a man in the U. S. who is not satisfied of the depth of his guilt, such are the jealous provisions of our laws in favor of the accused, & against the accuser, that I question if he can be convicted. Out of 48 jurors who are to be summoned, he has a right to choose the 12 who are to try him, and if any one of the 12 refuses to concur in finding him guilty, he escapes. This affair has been a great confirmation in my mind of the innate strength of the form of our government. He had probably induced near a thousand men to engage with him, by making them

believe the government connived at it. A proclamation alone, by undeceiving them, so compleatly disarmed him, that he had not above 30 men left, ready to go all lengths with him. The first enterprise was to have been the seizure of N. Orleans, which he supposed would powerfully bridle the country above, & place him at the door of Mexico. It has given me infinite satisfaction that not a single native Creole of Louisiana, and but one American, settled there before the delivery of the country to us, were in his interest. His partisans there were made up of fugitives from justice, or from their debts, who had flocked there from other parts of the U. S., after the delivery of the country, and of adventurers & speculators of all descriptions. I thank you for the volume of Memoirs you have sent me, & will immediately deliver that for the Phil. Society. I feel a great interest in the publication of Turgot's works, but quite as much in your return here. Your Eleutherian son is very valuable to us, & will daily become more so. I hope there will be a reaction of good offices on him. We have heard of a great improvement in France of the furnace for heating cannon-balls, but we can get no description of it.

I salute you with sincere affection, & add assurances of the highest respect.

TO THE MARQUIS DE LA FAYETTE. J. MSS.

WASHINGTON, July 14, 07.

MY DEAR FRIEND, — I received last night your letters of Feb. 20 & Apr. 29, and a vessel just sailing from Baltimore enables me hastily to acknolege them;

to assure you of the welcome with which I receive whatever comes from you, & the continuance of my affectionate esteem for yourself & family. I learn with much concern, indeed, the state of Mde. de La Fayette's health. I hope I have the pleasure yet to come of learning it's entire re-establishment. She is too young not to give great confidence to that hope.

Measuring happiness by the American scale, & sincerely wishing that of yourself & family, we had been anxious to see them established on this side of the great water. But I am not certain that any equivalent can be found for the loss of that species of society, to which our habits have been formed from infancy. Certainly, had you been, as I wished, at the head of the government of Orleans, Burr would never have given me one moment's uneasiness. His conspiracy has been one of the most flagitious of which history will ever furnish an example. He meant to separate the western States from us, to add Mexico to them, place himself at their head, establish what he would deem an energetic government, & thus provide an example & an instrument for the subversion of our freedom. The man who could expect to effect this, with American materials, must be a fit subject for Bedlam. The seriousness of the crime, however, demands more serious punishment. Yet, altho' there is not a man in the U. S. who doubts his guilt, such are the jealous provisions of our laws in favor of the accused against the accuser, that I question if he is convicted. Out of 48 jurors to be summoned, he is to select the 12 who are to try him, and if there be any who will not concur in finding him guilty, he is discharged of course.

I am sorry to tell you that Bollman was Burr's right hand man in all his guilty schemes. On being brought to prison here, he communicated to Mr. Madison & myself the whole of the plans, always, however, apologetically for Burr, as far as they would bear. But his subsequent tergiversations have proved him conspicuously base. I gave him a pardon, however, which covers him from everything but infamy. I was the more astonished at his engaging in this business, from the peculiar motives he should have felt for fidelity. When I came into the government, I sought him out on account of the services he had rendered you, cherished him, offered him two different appointments of value, which, after keeping them long under consideration, he declined for commercial views, and would have given him anything for which he was fit. Be assured he is unworthy of ever occupying again the care of any honest man. Nothing has ever so strongly proved the innate force of our form of government, as this conspiracy. Burr had probably engaged 1000 men to follow his fortunes, without letting them know his projects, otherwise than by assuring them the government approved of them. The moment a proclamation was issued, undeceiving them, he found himself left with about 30 desperadoes only. The people rose in mass wherever he was, or was suspected to be, and by their own energy the thing was crushed in one instant, without it's having been necessary to employ a man of the military but to take care of their respective stations. His first enterprise was to have been to seize N. Orleans, which he supposed would powerfully bridle the upper

country, & place him at the door of Mexico. It is with pleasure I inform you that not a single native Creole, and but one American of those settled there before we received the place, took any part with him. His partisans were the new emigrants from the U. S. and elsewhere, fugitives from justice or debt, and adventurers and speculators of all descriptions.

I enclose you a proclamation, which will show you the critical footing on which we stand at present with England. Never, since the battle of Lexington, have I seen this country in such a state of exasperation as at present. And even that did not produce such unanimity. The federalists themselves coalesce with us as to the object, altho' they will return to their old trade of condemning every step we take towards obtaining it. 'Reparation for the past, and security for the future,' is our motto. Whether these will be yielded freely, or will require resort to non-intercourse, or to war, is yet to be seen. We have actually near 2000 men in the field, covering the exposed parts of the coast, and cutting off supplies from the British vessels.

I am afraid I have been very unsuccessful in my endeavors to serve Mde. de Tessé in her taste for planting. A box of seeds, &c., which I sent her in the close of 1805, was carried with the vessel into England, and discharged so late that I fear she lost their benefit for that season. Another box, which I prepared in the autumn of 1806, has, I fear, been equally delayed from other accidents. However, I will persevere in my endeavors.

Present me respectfully to her, M. de Tessé, Mde.

de La Fayette & your family, and accept my affectionate salutations, & assurances of constant esteem & respect.

TO THE SECRETARY OF THE TREASURY. J. MSS.
(ALBERT GALLATIN.)

July 16, 1807.

If Mr. Gallatin will be so good as to call on Th. J. on his arrival at the office, the other gentlemen will then attend on being notified, and consider the subject of Mr. Gallatin's letter received yesterday. It is the more necessary, as everything else is ready for the departure of the vessel. Affectionate salutations.

TO THE U. S. MINISTER TO FRANCE. J. MSS.
(JOHN ARMSTRONG.)

WASHINGTON, July 17, 07.

DEAR SIR,—I take the liberty of enclosing to your care some letters to friends who, whether they are in Paris or not I do not know. If they are not, I will pray you to procure them a safe delivery.

You will receive, through the department of State, information of the critical situation in which we are with England. An outrage not to be borne has obliged us to fly to arms, and has produced such a state of exasperation, & that so unanimous, as never has been seen in this country since the battle of Lexington. We have between 2 & 3000 men on the shores of the Chesapeake, patrolling them for the protection of the country, & for preventing supplies of any kind being furnished to the British; and the moment our gun-boats are ready we shall endeavor by force to expel them from our waters. We now send a vessel to call upon the British government for reparation for the past outrage, & security for the future, nor will anything be deemed security but a renunciation of the practice of taking persons out of our vessels, under the pretence of their being English. Congress will be called some time in October, by which time we may

have an answer from England. In the meantime we are preparing for a state of things which will take that course, which either the pride or the justice of England shall give it. This will occasion a modification of your instructions, as you will learn from the Sec. of state. England will immediately seize on the Floridas as a point d'appui to annoy us. What are we to do in that case? I think she will find that there is no nation on the globe which can gall her so much as we can. I salute you with great affection & respect.

TO THE SECRETARY AT WAR. J. MSS.

(HENRY DEARBORN.)

WASHINGTON, July, 07.

MY DEAR SIR,—I have this moment received certain information that the British vessels have retired from Hampton Road. Whether they will only join their companions in the bay, & remain there or go off, is yet to be seen. It gives me real pain to believe that circumstances still require your presence here. I have had a consultation this day with our colleagues on that subject, and we have all but one opinion on that point. Indeed, if I regarded yourself alone, I should deem it necessary to satisfy public opinion, that you should not be out of place at such a moment. The arrangements for the militia, now much called for, can be properly made only by yourself. Several other details are also at a stand. I shall therefore hope to see you in a very few days. An important question will be to be decided on the arrival of Decatur here, about this day se'night, whether, as the retirement of the British ships from Hampton Road enables us to get our 16 gun-boats together, we shall authorize them to use actual force against the British vessels. Present to Mrs. Dearborne, & accept yourself, my affectionate & respectful salutations.

TO JOHN PAGE. J. MSS.

WASHINGTON, July, 17, 07.

MY DEAR FRIEND,—Yours of the 11th is received. In appointments to public offices of mere profit, I have ever considered faithful service in either our first or

second revolution as giving preference of claim, and that appointments on that principle would gratify the public, and strengthen that confidence so necessary to enable the executive to direct the whole public force to the best advantage of the nation. Of Mr. Bolling Robenson's talents & integrity I have long been apprized, and would gladly use them where talents & integrity are wanting. I had thought of him for the vacant place of secretary of the Orleans territory, but supposing the salary of 2000 D not more than he makes by his profession, & while remaining with his friends, I have, in despair, not proposed it to him. If he would accept it, I should name him instantly with the greatest satisfaction. Perhaps you could inform me on this point.

With respect to Majr Gibbons, I do indeed recollect, that in some casual conversation, it was said, that the most conspicuous accomplices of Burr were at home at his house; but it made so little impression on me, that neither the occasion nor the person is now recollected. On this subject, I have often expressed the principles on which I act, with a wish they might be understood by the federalists in office. I have never removed a man merely because he was a federalist: I have never wished them to give a vote at an election, but according to their own wishes. But as no government could discharge it's duties to the best advantage of it's citizens, if it's agents were in a regular course of thwarting instead of executing all it's measures, and were employing the patronage & influence of their offices against the government & it's measures, I have only requested they would be quiet,

& they should be safe; that if their conscience urges them to take an active & zealous part in opposition, it ought also to urge them to retire from a post which they could not conscientiously conduct with fidelity to the trust reposed in them; & on failure to retire, I have removed them; that is to say, those who maintained an active & zealous opposition to the government. Nothing which I have yet heard of Major Gibbons places him in danger from these principles.

I am much pleased with the ardor displayed by our countrymen on the late British outrage. It gives us the more confidence of support in the demand of *reparation* for the past, & *security* for the future, that is to say, an end of impressments. If motives of either justice or interest should produce this from Great Britain, it will save a war; but if they are refused, we shall have gained time for getting in our ships & property, & at least 20,000 seamen now afloat on the ocean, and who may man 250 privateers. The loss of these to us would be worth to Great Britain many victories of the Nile & Trafalgar. The meantime may also be importantly employed in preparations to enable us to give quick and deep blows.

Present to Mrs. Page, & receive yourself my affectionate & respectful salutations.

TO WILLIAM DUANE. J. MSS.

WASHINGTON, July 20, '07.

SIR,—Altho' I cannot always acknolege the receipt of communications, yet I merit their continuance by making all the use of them of which they are suscep-

tible. Some of your suggestions had occurred, and others will be considered. The time is coming when our friends must enable us to hear everything, & expect us to say nothing; when we shall need all their confidence that everything is doing which can be done, and when our greatest praise shall be, that we *appear* to be doing nothing. The law for detaching 100,000 militia, & the appropriation for it, & that for fortifications, enable us to do everything for land service, as well as if Congress were here; & as to naval matters, their opinion is known. The course we have pursued, has gained for our merchants a precious interval to call in their property & our seamen, & the postponing the summons of Congress will aid in avoiding to give too quick an alarm to the adversary. They will be called, however, in good time. Altho' we demand of England what is merely of right, reparation for the past, security for the future, yet as their pride will possibly, nay probably, prevent their yielding them to the extent we shall require, my opinion is, that the public mind, which I believe is made up for war, should maintain itself at that point. They have often enough, God knows, given us cause of war before; but it has been on points which would not have united the nation. But now they have touched a chord which vibrates in every heart. Now then is the time to settle the old and the new.

I have often wished for an occasion of saying a word to you on the subject of the Emperor of Russia, of whose character & value to us, I suspect you are not apprized correctly. A more virtuous man, I believe, does not exist, nor one who is more enthusi-

astically devoted to better the condition of mankind. He will probably, one day, fall a victim to it, as a monarch of that principle does not suit a Russian noblesse. He is not of the very first order of understanding, but he is of a high one. He has taken a peculiar affection to this country & it's government, of which he has given me public as well as personal proofs. Our nation being, like his, habitually neutral, our interests as to neutral rights, and our sentiments agree. And whenever conferences for peace shall take place, we are assured of a friend in him. In fact, altho' in questions of restitution he will be with England, in those of neutral rights he will be with Bonaparte & with every other power in the world, except England; & I do presume that England will never have peace until she subscribes to a just code of marine law. I have gone into this subject, because I am confident that Russia (while her present monarch lives) is the most cordially friendly to us of any power on earth, will go furthest to serve us, & is most worthy of conciliation. And altho' the source of this information must be a matter of confidence with you, yet it is desirable that the sentiments should become those of the nation. I salute you with esteem & respect.

TO MR. EDMUND PENDLETON GAINES. J. MSS.

WASHINGTON, July 23, 1807.

Thomas Jefferson has re-examined the complaints in the memorial from Tombigbee, and Mr. Gaines' explanation. The complaints are:

1. That Mr. Gaines stopped a vessel having a legal permit.

1. On the subject of the 1st complaint, Mr. Gaines was giving a verbal explanation, which Tho: Jefferson asks the favor of him now to repeat.

2. That he arrested Colo. Burr militarily.

2. That the arrest of Colo. B. was military has been disproved; but had it been so, every honest man & good citizen is bound, by any means in his power, to arrest the author of projects so daring & dangerous.

3. That Mr. Small gave evidence against Colo. Burr.

3. This complaint, as well as the preceding one, would imply a partiality for Colo. Burr, of which he hopes the petitioners were not guilty.

4. That he, Mr. Small, refused a passport to a Mr. Few.

4. On this subject, also, he asks any information Mr. Gaines can give; for tho it is a matter of discretion, it should be exercised without partiality or passion. He salutes Mr. Gaines with esteem & respect.

5. That he levies duties on Indian goods.

5. The levy of duty on Indian goods is required by the law of Congress.

6. That the people of that settlement have not the free use of the Mobille.

6. There has been a constant hope of reobtaining the navigation by negociation, & no endeavors have been spared. Congress has not thought it expedient as yet to plunge the nation into a war against Spain & France, or to obtain an exemption from the duty levied on the use of that river.

TO THE SECRETARY OF STATE. J. MSS.

(JAMES MADISON.)

MONTICELLO, Aug. 9, 07.

DEAR SIR,—Yours of yesterday was received in the course of the day. Our post-rider has not yet got to be punctual, arriving here from 2. to 4. hours later than he should do, that is to say from 3 to 5 o'clock instead of 1. I mean to propose to him that being rigorously punctual in his arrival, I will always discharge him the moment he arrives, instead of keeping him till 7 o'clock

as the postmaster proposes, taking for myself the forenoon of the succeeding day to answer every mail. I do not exactly recollect who of the heads of departments were present, (but I think every one except Mr. Gallatin,) when, conversing on the bungling conduct of our officers with respect to Erskine's letters, & the more bungling conduct to be expected when the command should devolve on a militia major, Mr. Smith proposed that the whole regulation of flags should be confided to Decatur, which appeared to obtain the immediate assent of all. However, the remedy is easy, & perhaps more proper on the whole. That is, to let the commanding officer by land, as well as the one by water, have equal authority to send & receive flags. I will write accordingly to Governor Cabell. This is the safer, as I believe T. Newton (of Congress) is the Major. Genl. Dearborne has sent me a plan of a war establishment for 15,000 regulars for garrisons & instead of 15,000 others, as a disposable force, to substitute 32,000 twelve-month volunteers, to be exercised & paid 3. months in the year, and consequently costing no more than 8000 permanent, giving us the benefit of 32,000 for any expedition, who would be themselves nearly equal to regulars, but could on occasion be put into the garrisons & the regulars employed in the expedition *primâ facie*. I like it well.[1] I salute you affectionately.

P. S. The record of the blank commission for Marshal of N. Carolina, sent to Govr. Alexander, must be filled up with the name of John S. West, the former Marshal, who has agreed to continue.

[1] On the same day the President wrote to the Secretary of War:

"MONTICELLO, August 9, 1807.

"DEAR SIR,—I received yesterday yours of the 7th, with the proposition for substituting 32,000 twelve-month volunteers instead of 15,000 regulars as a disposable force, and I like the idea much. It will of course be a subject of consideration when we all meet again, but I repeat that I like it greatly.

"On some occasion, a little before I left Washington, when we were together (all, I think, except Mr. Gallatin, but I am not quite so sure as to yourself as the others), conversing on the bungling business which had been made by the officers commanding at Norfolk, with Erskine's letters, and the more bungling conduct to be expected when the command should devolve on a militia major, Mr. Smith proposed that the whole business of flags should be

TO THE SECRETARY OF STATE. J. MSS.

(JAMES MADISON.)

MONTICELLO, August 16, 07.

DEAR SIR,—* * * If anything Thrasonic & foolish from Spain could add to my contempt of that government, it would be the demand of satisfaction now made by Foronda. However, respect to ourselves requires that the answer should be decent, and I think it fortunate that this opportunity is given to make a strong declaration of facts, to wit, how far our knolege of Miranda's objects went, what measures we took to prevent anything further, the negligence of the Spanish agents to give us earlier notice, the measures we took for punishing those guilty, & our quiet abandonment of those taken by the Spaniards. But I would not say a word in recrimination as to the western intrigues of Spain. I think that is the snare intended by this protest, to make it a set-off for the other. As soon as we have all the proofs of the western intrigues, let us make a remonstrance & demand of satisfaction, and, if Congress approves, we may in the same instant make reprisals on the Floridas, until satisfaction for that & for spoliations, and until a settlemt of boundary. I had rather have war against Spain than not, if we go to war against England.

committed to Decatur. This appeared to obtain at once the general approbation. Thinking it so settled, on lately receiving a letter from Govr. Cabell, asking full & explicit instructions as to the mode of intercourse, I endeavored to lay down the general rules of intercourse by flag, as well digested as I could to meet all cases, but concluded by informing him that that whole business was committed to Decatur. Mr. Madison now informs me that either not recollecting or not understanding this to have been the arrangement, instructions have been given to the officer commanding by land, relative to intercourse, which may produce collision. The remedy I think is easy, & will on the whole place the matter on more proper ground. That is, to give to the commanding officers by land as well as sea, equal authority to send & receive flags. This is the safer, as I see by the papers that Mr. Newton (of Congress) is the Major. I shall accordingly write to Govr. Cabell to-day to correct the error, & to inform him that the two commanders stand on an equal footing in the direction of flags.

"I wrote you yesterday as to the additional company of infantry employed, and shall await your opinion before I say anything on it to the Governor. I salute you affectionately."

Our southern defensive force can take the Floridas, volunteers for a Mexican army will flock to our standard, and rich pabulum will be offered to our privateers in the plunder of their commerce & coasts. Probably Cuba would add itself to our confederation. The paper in answer to Foronda should, I think, be drawn with a view to its being laid before Congress, & published to the world as our justification against the imputation of participation in Miranda's projects. * * *

TO ROBERT FULTON. J. MSS.

MONTICELLO, August 16, 1807.

SIR,—Your letter of July 28, came to hand just as I was about leaving Washington, & it has not been sooner in my power to acknólege it. I consider your torpedoes as very valuable means of defence of harbors, & have no doubt that we should adopt them to a considerable degree. Not that I go the whole length (as I believe you do) of considering them as solely to be relied on. Neither a nation nor those entrusted with it's affairs, could be justifiable, however sanguine their expectations, in trusting solely to an engine not yet sufficiently tried, under all the circumstances which may occur, & against which we know not as yet what means of parrying may be devised. If, indeed, the mode of attaching them to the cable of a ship be the only one proposed, modes of prevention cannot be difficult. But I have ever looked to the submarine boat as most to be depended on for attaching them, & tho' I see no mention of it in your letter, or your publications, I am in hopes it is not abandoned as impracticable. I should wish to see a corps of young men trained to this service. It would belong to the engineers if at land, but being nautical, I suppose we must have a corps of naval engineers, to practise & use them. I do not know whether we have authority to put any part of our existing naval establishment in a course of training, but it shall be the subject of a consultation with the Secretary of the Navy. Genl Dearborne has informed you of the urgency of our want of you at N Orleans for the locks there.

I salute you with great respect & esteem.

TO JONATHAN DAYTON. J. MSS.

MONTICELLO, Aug. 17, 07.

SIR,—I received your letter of the 6th inst requesting my interference to have you admitted to bail, and I have considered it with a sincere disposition to administer every relief from unnecessary suffering, which lies within the limits of my regular authority. But when a person charged with an offence is placed in the possession of the judiciary authority, the laws commit to that solely the whole direction of the case; and any interference with it on the part of the Executive would be an encroachment on their independence, and open to just censure. And still more censurable would this be in a case originating, as yours does, not with the Executive, but an independent authority. I am persuaded therefore, that on reconsideration, you will be sensible that, in declining to interpose in the present case, I do but obey the vigorous prescriptions of duty. [I do it however with the less regret as I presume that the same provisions of the law which have given to the principal defendant the accommodation of common apartments, give the same right to yourself and every other defendant, in a country where the application of equal law to every condition of man is a fundamental principle.] [1]

I salute you with every wish that the appearances which may have excited the attentions of one inquest towards you, may be so explained as to establish your innocence to the satisfaction of another.

P. S. The delay of the mails by the late rains have prevented an earlier transmission of this answer.[2]

TO THE SECRETARY OF STATE. J. MSS.

(JAMES MADISON.)

MONTICELLO, August 18, 1807.

DEAR SIR,—I return you the papers received yesterday. Mr. Erskine complains of a want of communication between the Brit-

[1] Part in brackets struck out.

[2] Th. J. to J. M. Shall I send Dayton an answer as above? Shall I leave out the last sentence but one? Or shall I send him no answer?

NOTE.—This was sent under cover to Mr. Hay, & opened for his perusal. —T. J.

ish armed vessels *in the* Chesapeake, or *off* the coast. If, by *off* the coast, he means those which, being generally in our waters, go occasionally out of them to cruize or to acquire a title to communicate with their consul, it is too poor an evasion for him to expect us to be the dupes of. If vessels *off* the coast, & having never violated the proclamation, wish to communicate with their consul, they may send in by any vessel, without a flag. He gives a proof of their readiness to restore deserters, from an instance of the Chichester lying along-side a wharf at Norfolk. It would have been as applicable if Capt Stopfield and his men had been in a tavern at Norfolk. All this, too, a British sergeant *is ready* to swear to; & further, that he saw British deserters enlisted in their British uniform, by our officer. As this fact is probably false, & can easily be inquired into, names being given, and as the story of the Chichester can be ascertained by Capt Saunders, suppose you send a copy of the paper to the Secy of the Navy, and recommend to him having an inquiry made. We ought gladly to procure evidence to hang the pirates, if no objection or difficulty occur from the place of trial. If the Driver is the scene of trial, where is she? if in our waters, we can have no communication with her, if out of them, it may be inconvenient to send the witnesses. Altho' there is neither candor nor dignity in soliciting the victualling the Columbine for 4 months for a voyage of 10 days, yet I think you had better give the permission. It is not by these huckstering manœuvres that the great national question is to be settled. I salute you affectionately.[1]

[1] On the next day Jefferson wrote to Madison:

. . . "It will be very difficult to answer Mr. Erskine's demand respecting the water casks in the tone proper for such a demand. I have heard of one who, having broke his cane over the head of another, demanded paiment for his cane. This demand might well enough have made part of an offer to pay the damages done to the Chesapeake and to deliver up the authors of the murders committed on board her. I return you the papers received yesterday. The Governor has enclosed me a letter from Genl Mathews of August 13, mentioning the recent arrival of a ship in the Chesapeake, bearing the flag of a Vice-Admiral; from whence he concludes that Barclay has arrived. I salute you affectionately."

TO THE SECRETARY OF STATE. J. MSS.
(JAMES MADISON.)

MONTICELLO, Aug. 20, '07.

Your letter to Dayton I think perfectly right, unless, perhaps, the expression of personal sympathy in the 1st page might be misconstrued, &, coupled with the circumstance that we had not yet instituted a prosecution against him, altho' possessed of evidence. Poor Yznardi seems to have been worked up into distraction by the persecutions of Meade. I enclose you a letter I have received from him. Also one from Warden, attested by Armstrong, by which you will see that the feuds there are not subsiding.

By yesterday's, or this day's mails, you will have received the information that Bonaparte has annihilated the allied armies. The result will doubtless be peace on the continent, an army despatched through Persia to India, & the main army brought back to their former position on the channel. This will oblige England to withdraw everything home, & leave us an open field. An account, apparently worthy of credit, in the Albany paper, is, that the British authorities are withdrawing all their cannon & magazines from Upper Canada to Quebec, considering the former not tenable, & the latter their only fast-hold.

I salute you with sincere affection.

P. S. I had forgotten to express my opinion that deserters ought never to be enlisted; but I think you may go further & say to Erskine, that if ever such a practise has prevailed, it has been without the knolege of the Government, and would have been forbidden, if known, & if any examples of it have existed, (which is doubted,) they must have been few, or they would have become known. The case presented from the Chichester, if true, does not prove the contrary, as the persons there said to have been enlisted are believed to have been American citizens, who, whether impressed or enlisted into the British service, were equally right in returning to the duties they owed to their own country.

TO THOMAS LEIPER. J. MSS.

MONTICELLO, Aug. 21, 07.

DEAR SIR,—I pray you to consider this letter so confidential as not to be hinted even to your most intimate friends. You propose General Steele as the successor to the present collector. The following circumstances are to be considered. It is indispensable that the head of the Indian department reside at the seat of government. General Shee was apprised of this at the time of his appointment. It was soon perceived that this was so ineligible to him as to countervail the benefits of the appointment & place him in doubt whether he would not rather relinquish it. We gave him time for his removal accommodated to his own views; and this has gone over without being noticed, because I had reason to expect a vacancy in the collectorship and had made up my mind to give him that, & the Indian agency to a person residing in Washington. As I suppose Genl. Shee the person whom it is most material to take care of, I wish your candid opinion whether the arrangement I propose is not more desirable than that which would oblige Shee to remove or resign.[1]

[1] On the appointment of Shee the President wrote to James Gamble:

"WASHINGTON, Oct. 21, 07.

"SIR,—Your favor of the 17th has been duly received. I have long seen, and with very great regret, the schisms which have taken place among the republicans, & principally those of Pensylvania & New York. As far as I have been able to judge they have not been produced by any difference of political principle, at least any important difference, but by a difference of opinion as to persons. I determined from the first moment to take no part in them, & that the government should know nothing of any such differences. Accordingly it has never been attended to in any appointment or refusal of appointment.

I never expected to be under the necessity of wishing success to Buonaparte. But the English being equally tyrannical at sea as he is on land, & that tyranny bearing on us in every point of either honor or interest, I say, 'down with England' and as for what Buonaparte is then to do to us, let us trust to the chapter of accidents, I cannot, with the Anglomen, prefer a certain present evil to a future hypothetical one. I salute with friendship & respect.

TO THE SECRETARY OF STATE. J. MSS.
(JAMES MADISON.)

MONTICELLO, Aug. 25, 1807.

DEAR SIR,—Colo. Newton's inquiries are easily solved, I think, by application of the principles we have assumed. 1. The *interdicted* ships are *enemies*. Should they be forced, by stress of weather, to run up into safer harbors, we are to act towards them as we would towards enemies in regular war, in a like case. Permit no intercourse, no supplies; & if they land, kill or capture them as enemies. If they lie still, Decatur has orders not to attack them without stating the case to me, & awaiting instructions. But if they attempt to enter Elizabeth river, he is to attack them without waiting for instructions. 2. Other armed

Genl. Shee's personal merit universally acknoleged, was the cause of his appointment as Indian Superintendent, and a subsequent discovery that his removal to this place (the indispensible residence of that officer) would be peculliarly unpleasant to him, suggested his translation to another office, to solve the double difficulty. Rarely reading the controversial pieces between the different sections of Republicans, I have not seen the piece in the Aurora, to which you allude; but I may with truth assure you that no fact has come to my knolege which has ever induced any doubt of your continued attachment to the true principles of republican government. I am thankful for the favorable sentiments you are so kind as to express towards me personally, and trust that an uniform pursuit of the principles & conduct which have procured, will continue to me an approbation which I highly value. I salute you with great esteem & respect."

vessels, putting in from sea in distress, are *friends*. They must report themselves to the collector, he assigns them their station, & regulates their repairs, supplies, intercourse & stay. Not needing flags, they are under the direction of the collector alone, who should be reasonably liberal as to their repairs & supplies, furnishing them for a voyage to any of their American ports; but I think with him their crews should be kept on board, & that they should not enter Elizabeth river.

I remember Mr. Gallatin expressed an opinion that our negociations with England should not be laid before Congress at their meeting, but reserved to be communicated all together with the answer they should send us, whenever received. I am not of this opinion. I think, on the meeting of Congress, we should lay before them everything that has passed to that day, & place them on the same ground of information we are on ourselves. They will then have time to bring their minds to the same state of things with ours, & when the answer arrives, we shall all view it from the same position. I think, therefore, you should order the whole of the negociation to be prepared in two copies. I salute you affectionately.

TO THE SECRETARY AT WAR. J. MSS.

(HENRY DEARBORN.)

MONTICELLO, August 28, 07.

DEAR SIR,—I had had the letter of Mr. Jouett of July 6th from Chicago, & that from Governor Hull, of July 14, from Detroit, under consideration some days, when the day before yesterday I received that of the Governor of July 25.

While it appeared that the workings among the Indians of that neighborhood proceeded from their prophet chiefly, & that his endeavors were directed to the restoring them to their antient mode of life, to the feeding & clothing themselves with the produce of the chace, & refusing all those articles of meat, drink, & clothing, which they can only obtain from the whites, and are now rendered necessary by habit, I thought it a transient enthusiasm, which, if let alone, would evaporate innocently of itself; altho' visibly tinctured with a partiality against the U. S. But

the letters & documents now enclosed give to the state of things there a more serious aspect; and the visit of the Governor of Upper Canada, & assembling of the Indians by him, indicate the object to which these movements are to point. I think, therefore, we can no longer leave them to their own course, but that we should immediately prepare for war in that quarter, & at the same time redouble our efforts for peace.

I propose, therefore, that the Governors of Michigan, Ohio, & Indiana, be instructed immediately to have designated, according to law, such proportions of their militia as you shall think advisable, to be ready for service at a moment's warning, recommending to them to prefer volunteers as far as they can be obtained, & of that description fitted for Indian service.

That sufficient stores of arms, ammunition & provision, be deposited in convenient places for any expedition which it may be necessary to undertake in that quarter, and for the defence of the posts & settlements there; & that the object of these preparations be openly declared, as well to let the Indians understand the danger they are bringing on themselves, as to lull the suspicion of any other object.

That at the same time, and while these preparations for war are openly going on, Governors Hull & Harrison be instructed to have interviews by themselves or well-chosen agents, with the chiefs of the several tribes in that quarter, to recall to their minds the paternal policy pursued towards them by the U. S., and still meant to be pursued. That we never wished to do them an injury, but on the contrary, to give them all the assistance in our power towards improving their condition, & enabling them to support themselves & their families; that a misunderstanding having arisen between the U. S. and the English, war may possible ensue. That in this war it is our wish the Indians should be quiet spectators, not wasting their blood in quarrels which do not concern them; that we are strong enough to fight our own battles, & therefore ask no help; and if the English should ask theirs, it should convince them that it proceeds from a sense of their own weakness which would not augur success in the end; that at the same time, as we have learnt that some tribes are already expressing intentions hostile to the U. S., we think it

proper to apprize them of the ground on which they now stand & that on which they will stand; for which purpose we make to them this solemn declaration of our unalterable determination, that we wish them to live in peace with all nations as well as with us, and we have no intention ever to strike them or to do them an injury of any sort, unless first attacked or threatened; but that learning that some of them meditate war on us, we too are preparing for war against those, & those only who shall seek it; and that if ever we are constrained to lift the hatchet against any tribe, we will never lay it down till that tribe is exterminated, or driven beyond the Mississippi. Adjuring them, therefore, if they wish to remain on the land which covers the bones of their fathers, to keep the peace with a people who ask their friendship without needing it, who wish to avoid war without fearing it. In war, they will kill some of us; we shall destroy all of them. Let them then continue quiet at home, take care of their women & children, & remove from among them the agents of any nation persuading them to war, and let them declare to us explicitly & categorically that they will do this: in which case, they will have nothing to fear from the preparations we are now unwillingly making to secure our own safety.

These ideas may form the substance of speeches to be made to them, only varying therein according to the particular circumstances and dispositions of particular tribes; softening them to some, and strengthening them as to others. I presume, too, that such presents as would show a friendly liberality should at the same time be made to those who unequivocally manifest intentions to remain friends; and as to those who indicate contrary intentions, the preparations made should immediately look towards them; and it will be a subject for consideration whether, on satisfactory evidence that any tribe means to strike us, we shall not anticipate by giving them the first blow, before matters between us & England are so far advanced as that their troops or subjects should dare to join the Indians against us. It will make a powerful impression on the Indians, if those who spur them on to war, see them destroyed without yielding them any aid. To decide on this, the Governors of Michigan & Indiana should give us weekly information, & the Postmaster

General should immediately put the line of posts to Detroit into the most rapid motion. Attention, too, is requisite to the safety of the post at Michillimacinac.

I send this letter open to the Secretary of State, with a desire that, with the documents, it may be forwarded to the Secretary of the Navy, at Baltimore, the Attorney General, at Wilmington, the Secretary of the Treasury, at N York, & finally to yourself; that it may be considered only as the origination of a proposition to which I wish each of them to propose such amendments as their judgment shall approve, to be addressed to yourself; & that from all our opinions you will make up a general one, & act on it without waiting to refer it back to me.

I salute you with great affection & respect.

TO THE SECRETARY OF STATE. J. MSS.

(JAMES MADISON.)

MONTICELLO, September 1, 1807.

DEAR SIR,—I think with you we had better send to Algiers some of the losing articles in order to secure peace there while it is uncertain elsewhere. While war with England is probable, everything leading to it with other nations should be avoided, except with Spain. As to her, I think it the precise moment when we should declare to the French government that we will instantly seize on the Floridas as reprisal for the spoliations denied us, and, that if by a given day they are paid to us, we will restore all east of the Perdido, & hold the rest subject to amicable decision. Otherwise, we will hold them forever as compensation for the spoliations. This to be a subject of consideration when we assemble.

One reason for suggesting a discontinuance of the daily post was, that it is not kept up by contract, but at the expense of the U. S. But the principal reason was to avoid giving ground for clamor. The general idea is, that those who receive annual compensations should be constantly at their posts. Our constituents might not in the first moment consider 1, that we all have property to take care of, which we cannot abandon for temporary

salaries; 2, that we have health to take care of, which at this season cannot be preserved at Washington; 3d, that while at our separate homes our public duties are fully executed, and at much greater personal labor than while we are together when a short conference saves a long letter. I am aware that in the present crisis some incident might turn up where a day's delay might infinitely overweigh a month's expense of the daily post. Affectionate salutations.

TO THE SECRETARY OF THE NAVY. J. MSS.

(ROBERT SMITH.)

MONTICELLO, September 3.

DEAR SIR,—Your letters of Aug. 23, 27, 29, 30, have all been received; the two last came yesterday. I observe that the merchants of New York & Philadelphia think that notice of our present crisis with England should be sent to the Streights of Sunda by a public ship, but that such a vessel going to Calcutta, or into the Bay of Bengal, would give injurious alarm; while those of Baltimore think such a vessel going to the Streights of Sunda would have the same effect. Your proposition, very happily in my opinion, avoids the objections of all parties; will do what some think useful & none think injurious. I therefore approve of it. To wit, that by some of the private vessels now going, instruction from the department of State be sent to our Consul at the Isle of France, to take proper measures to advise all our returning vessels, as far as he can, to be on their guard against the English, and that we now appoint & send a Consul to Batavia, to give the same notice to our vessels returning through the Streights of Sunda. For this purpose I sign a blank sheet of paper, over which signature the Secretary of State will have a consular commission written, leaving a blank for the name to be filled up by yourself with the name of such discreet & proper person as shall be willing. to go. If he does not mean to reside there as Consul, we must bear his expenses out & in, & compensate his time. I presume you will receive this commission, & the papers you sent me through the Secretary of State, on the 8th.

I approve of the orders you gave for intercepting the pirates,

& that they were given as the occasion required, without waiting to consult me, which would have defeated the object. I am very glad indeed that the piratical vessel and some of the crew have been taken, & hope the whole will be taken; & that this has been done by the militia. It will contribute to show the expediency of an organized naval militia.

I send you the extract of a letter I lately wrote to Genl Dearborne on the defence of the Chesapeake. Your situation will better enable you to make inquiries into the practicability of the plan than he can. If practicable, it is all-important.

I do not see the probability of receiving from Gr. Britain reparation for the wrong committed on the Chesapeake, and future security for our seamen, in the same favorable light with Mr. Gallatin & yourself. If indeed the consequence of the battle of Friedland can be to exclude her from the Baltic, she may temporize with us. But if peace among the *continental* powers of Europe should leave her free in her intercourse with the powers who will then be *neutral*, the present ministry, perhaps no ministry which can now be formed, will not in my opinion give us the necessary assurance respecting our flag. In that case, it must bring on a war soon, and if so, it can never be in a better time for us. I look to this, therefore, as most probably now to take place, altho I do most sincerely wish that a just & sufficient security may be given us, & such an interruption of our prosperity avoided. I salute you with affection and respect.

TO THOMAS PAINE.

J. MSS.

MONTICELLO, September 6, 1807.

DEAR SIR,—I received last night your favor of Aug. 29, and with it a model of a contrivance for making one gun-boat do nearly double execution. It has all the ingenuity and simplicity which generally mark your inventions. I am not nautical enough to judge whether two guns may be too heavy for the bow of a gun-boat, or whether any other objection will

countervail the advantage it offers, and which I see visibly enough. I send it this day to the secretary of the Navy, within whose department it lies to try & to judge it. Believing, myself, that gun-boats are the only *water* defence which can be useful to us, & protect us from the ruinous folly of a navy, I am pleased with everything which promises to improve them.

The battle of Friedland, armistice with Russia, conquest of Prussia, will be working on the British stomach when they will receive information of the outrage they have committed on us. Yet, having entered on the policy proposed by their champion 'war in disguise,' of making the property of all nations lawful plunder to support a navy which their own resources cannot support, I doubt if they will readily relinquish it. That war with us had been predetermined may be fairly inferred from the diction of Berkley's order, the Jesuitism of which proves it ministerial from it's being so timed as to find us in the midst of Burr's rebellion as they expected, from the contemporaneousness of the Indian excitements, and of the wide & sudden spread of their maritime spoliations. I salute you with great esteem & respect.[1]

[1] Jefferson further wrote to Paine:

"WASHINGTON, Oct. 9, '07.

"DEAR SIR,—Your 2d letter on the subject of gunboats came to hand just before my departure from Monticello. In the meantime, the inquiry into the proposition had been referred, agreeably to our usage, or to reason, to the practical persons of the department to which it belonged, deemed most skilful. On my arrival here, I found the answers of the persons to whom it was referred, the substance of which I now enclose you. I am not a judge of their solidity, but I presume they are founded, and the rather as they are from officers entirely favorable to the use of gunboats.

"We have as yet no knolege of the arrival of the Revenge in England, but

TO THE SECRETARY OF THE NAVY. J. MSS.

(ROBERT SMITH.)

MONTICELLO, Sept. 8, '07.

DEAR SIR,—Mr. Madison, who is with me, suggests the expediency of immediately taking up the case of Capt. Porter, against whom you know Mr. Erskine lodged a very serious complaint, for an act of violence committed on a British seaman in the Mediterranean. While Mr. Erskine was reminded of the mass of complaints we had against his government for similar violences, he was assured that contending against such irregularities ourselves, and requiring satisfaction for them, we did not mean to follow the example, and that on Captain Porter's return, it should be properly inquired into. The sooner this is done the better; because if Great Britain settles with us satisfactorily all our subsisting differences, & should require in return, (to have an appearance of reciprocity of wrong as well as redress,) a marked condemnation of Capt. Porter, it would be embarrassing were that the only obstacle to a peaceable settlement, and the more so as we cannot but disavow his act. On the contrary, if we immediately look into it, we shall be more at liberty to be moderate in the censure of it, on the very ground of British example; and the case being once passed upon, we can more easily avoid the passing on it a second time, as against a settled principle. It is therefore to put it in our power to let Capt. Porter off as easily as possible, as a valuable officer whom we all wish

we may daily expect to hear of it; and as we expected she would be detained there & in France about a month, it would be a month hence before we can expect her back here. In the meantime, all the little circumstances coming to our knolege are unfavorable to our wishes for peace. If they would but settle the question of impressment from our bottoms, I should be well contented to drop all attempts at a treaty. The other rights of neutral powers will be taken care of by Bonaparte & Alexander; and for commercial arrangements we can sufficiently provide by legislative regulations. But as the practice of impressment has taken place only against us, we shall be left to settle that for ourselves; and to do this we shall never again have so favorable a conjuncture of circumstances. Accept my friendly salutations & assurances of great esteem & respect."

to favor, that I suggest to you the earliest attention to the inquiry, and the promptest settlement of it. I set out to-morrow on a journey of 100 miles, & shall be absent 8 or 9. days. I salute you affectionately.

TO THE SECRETARY OF STATE. J. MSS.

(JAMES MADISON.)

MONTICELLO, Sept. 18, 07.

I returned here yesterday afternoon & found, as I might expect, an immense mass of business. With the papers received from you, I enclose you some others which will need no explanation. I am desired by the Secy of the Navy to say what must be the conduct of Com Rodgers, at New York, on the late or any similar entry of that harbor by the British armed vessels. I refer him to the orders to Decatur as to what he was to do if the vessels in the Chesapeake. 1. Remain quiet in the Bay. 2. Come to Hampton road. 3. Enter Eliz river: and recommend an application of the same rules to N York, accommodated to the localities of the place. Should the British government give us reparation of the past, & security for the future, yet the continuance of their vessels in our harbors in defiance constitutes a new injury, which will not be included in any settlement with our ministers, & will furnish good ground for declaring their future exclusion from our waters, in addition with the other reasonable ground before existing. Our Indian affairs in the N. W. on the Missouri, & at the Natchitoches, wear a very unpleasant aspect. As to the first all I think is done which is necessary. But for this & other causes, I am anxious to be again assembled. I have a letter from Connecticut. The prosecution there will be dismissed this term on the ground that the case is not cognisable by the courts of the U. S. Perhaps you can intimate this where it will give tranquillity. Affectionate salutations.

The commission to the Secy of Orleans having another mistake, Robinson instead of Robertson, has been returned to me for correction. I have corrected it; but it will be necessary the record should also be corrected.

TO THE SECRETARY OF THE NAVY. J. MSS.

(ROBERT SMITH.)

MONTICELLO, Sept. 18, 1807.

DEAR SIR,—On my return yesterday I found yours of the 10th, and now re-enclose you Com Rodgers' letter. You remember that the orders to Decatur were to leave the British ships unmolested so long as they laid quiet in the Bay; but if they should attempt to enter Eliz river to attack them with all his force. The spirit of these orders should, I think, be applied to New York. So long as the British vessels merely enter the Hook, or remain quiet there, I would not precipitate hostilities. I do not sufficiently know the geography of the harbor to draw the line which they should not pass. Perhaps the narrows, perhaps some other place which yourself or Commodore Rogers can fix with the aid of the advice he can get in N York. But a line should be drawn which if they attempt to pass, he should attack them with all his force. Perhaps he would do well to have his boats ordinarily a little without the line to let them see they are not to approach it; but whether he can lay there in safety, *ordinarily*, he must judge. But if the British vessels continue at the Hook, great attention should be paid to prevent their receiving supplies or their landing, or having any intercourse with the shore or other vessels. I left Mr. Nicholas's yesterday morning: he is indisposed with his annual influenza. Mrs. Nicholas is well. I shall be at Washington on the 3d proximo. Affectionate salutations.

TO THE SECRETARY OF STATE. J. MSS.

(JAMES MADISON.)

September 20, 1807.

I return all the papers received in yours of the 18th & 19th, except one soliciting office, & Judge Woodward's letters, to be communicated to the Secretary at War. Should not Claiborne be instructed to say at once to Govr Folch, that as we never did prohibit any articles (except slaves) from being carried up the Mississippi to Baton Rouge, so we do not mean to prohibit them, & that we only ask a perfect & equal reciprocity to be

observed on the rivers which pass thro' the territories of both nations. Must we not denounce to Congress the Spanish decree as well as the British regulation pretending to be the countervail of the French? One of our first consultations, on meeting, must be on the question whether we shall not order all the militia & volunteers destined for the Canadas to be embodied on the 26th of Octr, & to march immediately to such points on the way to their destination as shall be pointed out, there to await the decision of Congress? I approve of the letter to Erskine. In answering his last, should he not be reminded how strange it is he should consider as a hostility our refusing to receive but under a flag, persons from vessels remaining & acting in our waters in defiance of the authority of the country? The post-rider of the day before yesterday has behaved much amiss in not calling on you. When I found your mail in the valise & that they had not called on you, I replaced the mail in it & expressly directed him to return by you. Affectionate salutations.

TO THE GOVERNOR OF NEW ORLEANS. J. MSS.
(JAMES WILKINSON.)

MONTICELLO, September 20, 1807.

DEAR SIR,—I received your favors of the 13 & 15th on my return to this place on the 17th, and such was the mass of business accumulated in my absence, that I have not till now been able to take up your letters. You are certainly free to make use of any of the papers we put into Mr. Hay's hands,[1] with a single reservation: to wit, some of them are expressed to be confidential, and others are of that kind which I always consider as confidential, conveying censure on particular individuals,

[1] On the same day Jefferson wrote Hay:

"MONTICELLO, September 20, 1807.

"DEAR SIR,—General Wilkinson has asked permission to make use, in the statement of Burr's affair which he is about to publish, of the documents placed in your hands by Mr. Rodney. To this, consent is freely given with one reservation. Some of these papers are expressed to be confidential. Others containing censures on particular individuals, are such as I always deem con-

& therefore never communicate them beyond the immediate executive circle. I accordingly write to this effect to Mr. Hay. The scenes which have been acted at Richmond are such as have never before been exhibited in any country where all regard to public character has not yet been thrown off. They are equivalent to a proclamation of impunity to every traitorous combination which may be formed to destroy the Union ; and they preserve a head for all such combinations as may be formed within, and a centre for all the intrigues & machinations which foreign governments may nourish to disturb us. However, they will produce an amendment to the Constitution which, keeping the judges independent of the Executive, will not leave them so, of the nation.

I shall leave this place on the 30th for Washington. It is with pleasure that I perceive from all the expressions of public sentiment, that the virulence of those whose treasons you have defeated only place you on higher ground in the opinion of the nation. I salute you with great esteem & respect.

TO TENCH COXE. J. MSS.

MONTICELLO, Sep. 21, 07.

SIR,—I have read with great satisfaction your observations on the principles for equalizing the power of the different nations on the sea, and think them perfectly sound. Certainly it will be better to produce a balance on that element, by reducing the means of it's great Monopoliser, than by endeavoring to raise our own to an equality with theirs. I have

fidential, & therefore cannot communicate, but for regularly official purposes, without a breach of trust. I must therefore ask the exercise of your discretion in selecting all of this character, and of giving to the General the free use of the others. It will be necessary that the whole be returned to the Attorney General by the first week in the next month, as a selection will be made from them to make part of the whole evidence in the case, which I shall have printed and communicated to Congress. I salute you with great esteem & respect."

ever wished that all nations would adopt a navigation law against those who have one, which perhaps would be better than against all indiscriminately, and while in France I proposed it there. Probably that country is now ripe for it. I see no reason why your paper should not be published, as it would have effect towards bringing the public mind to proper principles. I do not know whether you kept a copy; if you did not, I will return it. Otherwise I retain it for the perusal of my coadjutors, and perhaps to suggest the measure abroad. I salute you with great esteem & respect.

TO WILLIAM THOMSON. J. MSS.

MONTICELLO, Sep. 26, 07.

SIR,—Your favor of July 10. came safely to hand and with that the first 72. pages of your view of Burr's trial. I have read this with great satisfaction, and shall be happy to see the whole subject as well digested. From this specimen of your writing I have no doubt you will do justice to any subject you undertake, and think you cannot find a better than the one you have fixed on, the history of the Western country. We have been too long permitting it's facts to go into oblivion. Colo. Boon, the first emigrant to it, is I believe still living on the Missouri.

The scenes which have been acting at Richmond are sufficient to fill us with alarm. We had supposed we possessed fixed laws to guard us equally against treason & oppression. But it now appears we have no law but the will of the judge. Never will chi-

canery have a more difficult task than has been now accomplished to warp the text of the law to the will of him who is to construe it. Our case too is the more desperate as to attempt to make the law plainer by amendment is only throwing out new materials for sophistry.

I salute you with great esteem & respect.

TO THE ATTORNEY GENERAL.

(CÆSAR A. RODNEY.) J. MSS.

WASHINGTON, Octr. 8, 07.

DEAR SIR,—Your letters of Sept. 15 and Oct. 1 have been duly received & I sincerely congratulate you on the addition to your family announced in the last. The good old book speaking of children says 'happy is the man who hath his quiver full of them.' I hope Mrs. Rodney is doing well, in which case & when ever her situation will admit your coming on without uneasiness, the approaching convention of Congress would render your assistance here desirable. Besides the varieties of general matter we have to lay before them, on which we should be glad of your aid and counsel, there are two subjects of magnitude in which your agency will be peculiarly necessary. 1. The selection & digestion of the documents respecting Burr's treason, which must be laid before Congress in two copies, (or perhaps printed, which would take 10. days). 2. A statement of the conduct of Gr. Brit. towards this country, so far as respects the violations of the Maritime Law of nations. Here it would be necessary to state each distinct principle violated, & to quote the cases of violation, & to conclude with a view of her vice-admiralty courts, their venality & rascality, in order to shew that however for conveniences, (& not of right) the court of the captor is admitted to exercise the jurisdiction, yet that in so palpable an abuse of that trust, some remedy must be applied. Everything we see & hear leads in my opinion to war; we have therefore much to consult & determine on, preparatory to that event. I salute you with affectionate respect.

SEVENTH ANNUAL MESSAGE.[1]

[Oct. 27.]

FIRST ROUGH DRAUGHT.

England. Circumstances, f. c. which seriously threaten the peace & prosperity of our country have made it a duty to convene you at an earlier period than usual. That love of peace so much cherished in the bosoms of our citizens which has so long guided the proceedings of their public ~~functionaries~~ councils, and induced forbearance under so many wrongs, has not been sufficient to secure us in the ~~paths of peace~~; quiet

SECOND DRAUGHT.

To the Senate & H. of Representatives of the U.S.

Circumstances, fellow citizens, which seriously threaten the peace ~~& prosperity~~ of our country, have made it a duty to convene you at an earlier period than usual. That love of peace so much cherished in the bosoms of our citizens, which has so long guided the proceedings of their public councils, and induced forbearance under so many wrongs, ~~has not been sufficient to secure us~~ may not ensure ~~to us a~~ our

[1] The following papers relate to the drafting of this message:

DEAR SIR,—I have kept your message longer than usual, because my objections being less to details than to its general spirit, I was at a loss what alterations to submit to your consideration.

Instead of being written in the style of the Proclamation, which has been almost universally approved at home & abroad, the message appears to me to be rather in the shape of a manifesto issued against Great Britain on the eve of a war, than such as the existing undecided state of affairs seems to require. It may either be construed into a belief that justice will be denied; a result not to be anticipated in an official communication; or it may be distorted into an eagerness of seeing matters brought to an issue by an appeal to arms. Although it be almost certain that the expected answer will decide the question, yet unforeseen circumstances may protract its discussion. The British government may, without acceding precisely to your ultimatum, take some new admissible ground, which will require your sanction & delay the final arrangement. So long as any hope, however weak, remains of an honorable settlement, it is desirable that no act of the Executive may, by widening the breach or unnecessarily hurting the pride of Great Britain, have a tendency to defeat it. Unless therefore some useful & important object can be obtained by the message in its present form, I would wish its general colour & expression to be so softened; nothing inserted but what is necessary for assisting Congress in their first de-

pursuits of industry; and the moment ~~is possibly near at hand~~ seems ~~to be~~ approaching when we ~~shall~~ may owe it to mankind as well as to ourselves to restrain wrong by resistance, and to ~~assist in maintaining among na-~~ continuance in the quiet pursuits of industry, and the moment seems approaching when we may owe it to mankind, as well as to ourselves to restrain wrong by resistance, and to defeat those calculations of which

liberations & to account for their early meeting; no recapitulation of former outrages further than as connected with the unratified treaty; no expression of a belief that war is highly probable: which last seems either to presuppose absolute injustice on the part of Great Britain, or to acknowledge high pretensions on ours. For unless some important object be in view, those may do harm & cannot be productive of any substantial benefit.

If the object be to urge Congress to make the necessary preparations for war, this may be attained by a direct and strong recommendation founded not on the probability but on the uncertainty of the issue. If it be to incite them to a speedy declaration of war, this also seems premature, & may as effectually be done at its proper time when the answer of the British Government will be communicated. It may be added that recommendations or incitements to war should not, under our Constitution, be given by the Executive, without much caution; and, above all, that the precise manner & time of acting, which Congress should adopt are subjects which have not yet been sufficiently examined.

That the choice of the manner will not probably be left to us is true: that Great Britain will prefer actual war to any system of retaliation short of war which we might select, I do believe. Yet, how far it may be proper to leave the choice to her, deserves at least consideration. Public opinion abroad is to us highly valuable. At home it is indispensable. We will be universally justified in the eyes of the world, & unanimously supported by the nation, if the ground of war be England's refusal to disavow or to make satisfaction for the outrage on the Chesapeake. But I am confident that we will meet with a most formidable opposition should England do justice on that point, and we should still declare war because she refuses to make the proposed arrangement respecting seamen. It is, in that case that measures short of war may become proper, leaving to England, if she chooses the odium of commencing an actual war. But although that policy may be questionable, and decisive measures even under that contingency be thought preferable, the question of time requires most serious consideration.

Under an impression that this month would decide the question of war or peace, it was thought prudent to contemplate (rather than to prepare) immediate offensive operations. To strike a blow the moment war is begun is doubtless important; but it does not follow that war ought to be commenced at this very moment. So far as relates to Canada, it may as easily and, considering the state of our preparations, I might say, "more easily," be invaded & conquered

~~tions the authority of most right by defeating all interests calculated on a violation of them it.~~ defeat those calculations of which interest is the sole principle. You well know that the long train of injuries & dep- ~~is not the sole principles~~ justice is not the basis. You well know the long train of injuries and depredations under which our commerce and navigation have been afflicted on the high seas for years past;

in winter or even early in the spring than this autumn. European reinforcements cannot in the spring reach Montreal, much less Upper Canada, before both shall have been occupied by us. Quebec will certainly be reinforced before the season shall permit regular approaches. No advantage, therefore, will result in that respect from an immediate attack; no inconvenience from the declaration of war being somewhat delayed. In every other respect, it is our interest that actual war should not be commenced by England this autumn; and as for the same reason it is her interest to commence it, if she thinks it ultimately unavoidable, I wish not only that we may not declare it instantaneously, but that her Government and her affairs in America may, until the decision takes place still consider the result as uncertain.

The operations of war, on the part of Great Britain, will consist in the capture of our vessels, attacks on our most exposed seaports & defence of Canada. On our part, unable either to protect our commerce or to meet their fleets, our offensive operations must by sea be confined to privateers; and we must, as far as practicable, draw in those vessels we cannot defend, place our ports in a situation to repel mere naval aggressions, organize our militia for occasional defence, raise troops & volunteers for permanent garrisons or attack.

Those essential preparations are in some points hardly commenced, in every respect incomplete. Our China & East India trade, to an immense amount yet out: no men raised, (indeed nothing more was practicable) beyond a draft of militia: whatever relates to its better selection organization or to the raising of regulars or volunteers wanting the authorization of Congress & requiring time for executing: the batteries contemplated at New York not yet commenced, not even a temporary rampart in any part of the city, and hardly a gun mounted on Governor's Island: how far the works of the two other seaports mentioned in the message as particularly exposed have progressed, I do not know: further appropriations stated to be necessary for the intended batteries at every other harbor. It seems essentially necessary that we should, if permitted, provide such rational & practicable means of defence as we think may be effected within a short time, before we precipitate the war. Is it not probable that England will, if she presumes that her answer may lead to a war, immediately dispatch a few ships with contingent orders? And, if Congress were to declare war in November, what would prevent their naval force here, even if not reinforced, to lay New York under contribution before winter? Great would be the disgrace attaching to such a disaster; the Executive would be particularly

redns under which our commerce & navigation have been afflicted on the high seas for years past; the successive innovations on those rules of public law established by the reason & usage of nations to regulate the successive innovations on those ~~rules~~ principles of public law which have been established by the reason and usage of nations ~~to regulate~~ as the rule of their intercourse, and ~~be~~ the umpire and guardian of their

liable to censure for having urged immediate war, whilst so unprepared against attack; nor need I say that, as a prosperous administration is almost invulnerable, so, adverse events will invariably destroy its popularity. Let it be added that, independent of immense loss to individuals three millions at least of next year's revenue rest on bonds due by the merchants of that city.

In every view of the subject, I feel strongly impressed with the propriety of preparing to the utmost for war & carrying it with vigor if it cannot be honorably avoided; but in the mean while of persevering in that caution of language & sanction which may give us some more time, and is best calculated to preserve the remaining chance of peace & most consistent with the general system of your administration. As to any particular alterations in that part of the message; although I do not feel equal to proposing proper substitutes, a sketch is inclosed intended rather to shew those parts which I think most objectionable, than the proper manner of amending them. With great respect & sincere attachment, Your obdt servt

ALBERT GALLATIN.

Dated 21 October, 1807.

Alterations Proposed by Gallatin.

Paragraph.—Strike out from "*and the moment*" in 7th line to the word "place" in the last line of the first page & insert in substance "the many injuries & depredations under which our commerce and navigation have been affected on the high seas for years past, the successive innovations on those rules of public law established by the reason and usage of nations, all the circumstances which preceded the extraordinary mission to England are already known to you."

I will observe on this part of the message that Pierce's murder was in no ways the cause of the extraordinary mission. Mr. Pinkney's nomination took place whilst Congress was in session. Pierce was killed immediately after the adjournment. Nay, King's conduct on that occasion has by some been ascribed to his disappointmeut at Pinkney being selected instead of himself. The next sentence ending at the word *inadmissible* in 6th line of the 2d page & which gives the history of the negotiation does not seem full enough. I would introduce the idea that the efforts of our ministers were applied to the framing of an arrangement wh. might embrace & settle all the points in dispute and also provide for a commercial intercourse on conditions of some equality. I would also

their intercourse, & ~~constituting the sole supplying the office of~~ to be the umpire & guardian of their rights & peace ~~& safety among them~~. These violations we met with friendly remonstrances only, always indulging rights & peace. These violations we have met with friendly remonstrances only, always indulging the hope that reason would at length prevail over the dictates of a mistaken interest, and that voluntary redress would

modify the declaration of the inadmissibility of the instrument, by saying that, although it had provided in a manner if not altogether satisfactory yet admissible for some of the points in dispute, it had left one more likely to perpetuate collisions altogether unprovided for, and that in other respects it was inadmissible. Such modification is recommended by a desire not to appear to abandon the arrangement respecting the colonial trade, or that of equalization of duties, and also with a view to the opposition party in England on which it is not our interest to bear too hard, lest they should also unite against us.

Same paragraph. Instead of the sentences "*on this outrage* &c & *its character has been &c.*, I would prefer saying simply "*on this outrage no commentaries are necessary.*"

2d paragraph. I would rather omit altogether this paragraph. The continuation of aggression being the act of the same officers may fairly be considered as part of the same act: Nor do I think a recommendation to exclude ships of war from our ports opportunely introduced at a moment when the question is war or peace. But if the paragraph be preserved, I would omit what relates to demands of additional reparation which more than any other part of the message seems to indicate a determination not to arrange amicably the disputes with Great Britain.

3d paragraph. I would also rather omit under existing circumstances this paragraph. If preserved, I would strike out from the commencement to *overlooked* in the 4th line of the paragraph & insert "*another new violation of maritime rights of great magnitude has in the meanwhile taken place. The government of that nation &c.*" And at the end of the paragraph I would add that that order was predicated on a supposed construction of Buonaparte's decree wh. had been disavowed & not acted upon by the French government. If that be not inserted here, it should I think be alluded to in the 5th paragraph, & a copy of the decree & explanations be sent, stating that although some expressions in the decree had at first caused alarm, yet as its operation, both by their declarations & practice, was confined to ports within their own jurisdiction, & neither affected maritime rights nor contravened our treaty it could not, tho' in its effects curtailing our commerce, be complained of as hostile.

It seems to me that the 9th & 10th, and particularly the 11th & 12th paragraphs should immediately follow the 3d or perhaps the 1st. The two last 11 & 12 relate to the measures adopted by the Executive in consequence of the outrage on the Chesapeake. That however is only a question of arrangement.

the hope that reason would at length prevail over the dictates of ~~mistaken calculations of~~ a mistaken interest, and that voluntary ~~justice~~ redress would spare ~~save~~ us the mutual calamities of war. In this train were spare us the actual calamities of war. In order to bring our differences to so desirable a termination, a mission extraordinary to that government took place, with instructions framed in the truest spirit of amity and

4th Paragraph. The expressions "may without further delay be expected to be brought to an issue of some sort" seem to go farther than Mr. Armstrong's communications justify. I would rather say "*and an expectation is entertained that they may soon be brought &c.*"

Same paragraph. I would strike out the last words "during the *short* period now to intervene before an answer *which shall decide our course*" & simply say that "no new collisions &c. have taken place or seem *at present* to be apprehended."

9th paragraph. I perceive by Gen. Dearborn's statement that appropriations are wanted not only for other ports, but also to a considerable amount for N. York, Charleston & N. Orleans. The idea should therefore be introduced & I would add something stronger in the shape of recommendations for that object generally.

11th paragraph. Quere. whether the contracts entered into by the Navy Department do not embrace other objects than those here stated? & also whether a greater expense than was appropriated has not been incurred for men on the Mississippi & elsewhere. At least Mr. Smith states that he has no money to pay off the Constitution & he ought to have enough to pay the whole navy to the end of the year.

12th do. I think that there should be here some additional recommendation generally to provide for the worst in case of unfavorable issue—particularly to hint at the necessity of better organization of militia volunteers &c.

13th do. I regret that part of what was first intended, particularly as to the effect of late decisions on the trial by jury, has been suppressed. But query how far it may be proper to go whilst Marshall's decision on the pending motion is not known?

I think the 14th or financial paragraph should precede this.

October 21, 1807.

I enclose you the form in which I would wish to place the financial paragraph, with blanks which I must ask you to fill up; also the sequel, which is to conclude the message, for your correction. And I must ask the return of the former part, as it is still to be communicated to Mr. Rodney for his observations, and then will be to be modified and four copies made according to the several amendments which will be proposed. The arrival of the Constitution and Wasp at Boston, where they are awaiting orders, renders it necessary they should be forwarded to-day; and as it is a leading question, if you can call here as soon

our affairs with England when the patience of our citizens was brought to severe ~~proof~~ trial, by the wanton murder of a fellow citizen ~~in the waters of N.Y.~~ following his ordinary occupations in the waters of N. Y. by moderation, & with the usual powers for preparing a treaty which might place the relations of the two nations on a friendly & permanent basis. After long & earnest efforts to obtain conditions of some equality, &

as you arrive at your office (giving me a few minutes' previous notice), I will ask the attendance of the other gentlemen for a few moments to decide this single question. T. J.

DEAR SIR,—I return the financial paragraph & conclusion of the message. The blanks I will supply on Monday morning; but as it will be only an approximation, the paragraph should state that all the accounts not being yet received a correct statement will be transmitted by the Treasury; but that in the meanwhile it is ascertained that the receipts have *exceeded* millions, which &c. have enabled us to pay about millions of the principal, omitting altogether mention of interest, unless by introducing after *current demands* the words "including the annual interest on the debt." 8th line I do not remember whether in previous messages *funded debt* has been the expression. There also after debt, should be introduced *nearly* or *more than* according to the result wh. I will furnish.

The remainder of the message is in my opinion unexceptionable: Indeed it is precisely in that spirit which I have taken the liberty to advise. Respectfully your obdt servt ALBERT GALLATIN.

21 Oct. 1807.

Cæsar A. Rodney's Notes.

(Indorsed: "Received Oct. 23, 07 Message.")

"Page 1 line 2. After "fellow citizens" add "entirely unexpected & much to be deprecated, threatening a serious change in the enviable state of our country impose the duty of convening you at an earlier period than the day assigned by the Constitution," in lieu of the residue of the first sentence.

"6. After "not" insert, "with all our sincere efforts to preserve tranquility."

"7. Strike out, "under which" & insert "committed on," and also strike out "have been inflicted on" & insert "upon."

"18. After "consideration" insert, "expressly and."

"26. After "confidence in it" insert, "But the fact is, it was accompanied with a formal declaration utterly inadmissible."

"Page 2 line 17. Before "satisfaction" insert "suitable & prompt." Strike out "assurance" and insert "adequate security."

"Page 7. As Burr has been recognized for further trial, I would submit the propriety of leaving out the paragraph "as a part &c" to "may be secured." "

a shot from a British armed vessel. ~~It became now~~ This added to other occurrences rendering it apparent that unless the points of difference between that nation & ours could be ~~immediately settled by mutual agreement,~~ brought to early settlement, a recurrence to force would be ~~the only alternative certain~~ unavoidable, an extraordinary mission ~~for the purpose therefore~~ took place. After long and earnest efforts by our ministers to obtain conditions of some equality & within the limits of their instructions, ~~pressed reduced on every article to the to the minimum on nearly every article,~~ framed in the truest spirit of amity & moderation, they our ministers at length signed an instrument with a frank avowal ~~however~~ to the ~~British~~ other negociators that they did it against their instructions, and could not ~~authorize an expectation that it would be ratified.~~ pledge their government for it's ratification. It was ~~entirely~~ in truth inadmissible. Still anxious ~~however to relating with that nation placed on a certain & peaceable footing even~~ to provide for peace, even by greater sacrifices of right than could before have been thought necessary within the limits of their instructions, our Ministers, finding that could not be done, thought it advisable to sign an instrument, for our consideration with the frank avowal, at the same time, to the other negociators that they did it against their instructions, & could not pledge their government for it's ratification. It was in truth inadmissible. Still anxious to provide for peace, even by greater sacrifices of right than could before have been thought necessary, our ministers were authorized to make further efforts for accommodation. On this new reference to amicable discussion we were reposing in confidence, when on the 22d day of June last, by a formal order from a British Admiral, the frigate Chesapeake leaving her port for a distant service, was attacked by one of these vessels which had been lying in our harbors under the indulgences of hospitality, was disabled from proceeding, had several of her crew killed & four taken away. On this outrage no ~~temperate~~ commentaries ~~can be made nor can be~~ are necessary. It's character has been pronounced by the indignant voice of our citizens with an emphasis & unanimity never exceeded. I

sary ~~new instructions were sent to our ministers to try whether, even on these conditions, an establishment of certain other rights could be obtained which were indispensable,~~ our ministers were authorized to make further efforts for accommodation. On this new reference ~~of our rights to~~ to amicable discussion ~~was made here on the and was presumed existing in full force~~ we were reposing in confidence when on the 22d day of June last by a ~~solemn~~ formal order from a British admiral the frigate Chesapeake, leaving her port for a distant service, was attacked by one of those vessels which had been lying in our harbours ~~enjoying~~ under the indulgences of hospitality, was disabled from ~~further~~ proceeding, had several of her crew killed, ~~two taken out who have been unquestionably proved to have been native citizens of the US. One other born in S. America but domiciled here from his infancy, and a fourth of whom satisfactory information has not yet been received, but who may be admitted to have been a British subject without at all impairing the unqualified character of this atrocious outrage.~~ and four taken away. On this outrage immediately by Proclamation interdicted our harbors and waters to all British armed vessels, forbade intercourse with them, and uncertain how far hostilities were intended, and the town of Norfolk indeed being threatened with immediate attack, a sufficient force was ordered for the protection of that place, and such other preparations commenced & pursued as the prospect rendered proper. An armed vessel of the US was dispatched with instructions to our ministers at London to call on that government for the satisfaction and security required by the outrage ~~for the outrage committed indemnity an assurance against the practice which had led to it.~~ A very short interval ought now to bring the answer which shall be communicated to you as soon as received. Then also, or as soon after as the public interests shall be found to admit, the unratified treaty, and proceedings relative to it, shall be made known to you.

no temperate commentaries can be made. ~~Nor~~ or can ~~any~~ be necessary. It's character has been pronounced by ~~general acclamation, in which in no instant of our history has the nation declared such unanimity.~~ the indignant voice of our citizens, ~~who~~ with an unanimity and emphasis never exceeded ~~in any period of our history.~~ I immediately by proclamation interdicted our harbors & waters to all British armed vessels, forbade intercourse with them, and uncertain ~~to what lengths~~ how far hostilities were intended ~~to be carried~~, and the town of Norfolk indeed being threatened with an immediate attack~~ed~~ a sufficient force was ordered for ~~the~~ protection of that place, and such other preparations ~~immediately~~ commenced and pursued as the prospect rendered proper. An armed vessel of the US. was dispatched with instructions to our ministers at London to call on that govmt for ~~proper~~ satisfaction for the outrage ~~which had been~~ committed and ~~effectual security~~ assurance against the practice which led to it. A very short interval ought now to bring ~~us~~ the answer, which shall be communicated to you

as soon as ~~it is~~ received. ~~As well as shall also be~~ Then also or as soon after the public interests shall be found to admit, the unratified treaty ~~with the reasons for rejecting it,~~ and proceedings relative to it, shall be made known to you, ~~under the fullest assurance that there will not be two opinions on the subject.~~

The aggression thus begun has been continued on the part of the British ~~armed vessels~~ commanders by remaining within our waters in defiance of the authority of the country ~~&~~ by ~~daily~~ habitual violations of it's jurisdiction, and at length by putting to death one of the persons whom they had forcibly taken from on board the Chesapeake. These aggravations having taken place since the communications forwarded to our ministers, must of course ~~be a subject of after reckoning with~~ furnished serious demands of additional reparation on that government: and necessarily lead to the policy of either never admitting an armed vessel into our harbors, or of maintaining in every harbor such an armed force as may constrain ~~armed vessels their~~ obedience to the laws & protect the lives and property of our citizens

The aggression thus begun has been continued on the part of the British commanders, by remaining within our waters in defiance of the authority of the country, by habitual violations of it's jurisdiction, and at length by putting to death one of the persons whom they had forcibly taken from on board the Chesapeake. These aggravations ~~having taken place since the communication forwarded to our ministers, must of course furnish serious demands of additional reparation on that government &~~ necessarily lead to the policy either of never admitting an armed vessel into our harbors, or of maintaining in every harbour such an armed force as may constrain obedience to the laws & protect the lives and property of our citizens against their armed guests. But the expense of such a standing force, and it's inconsistence

against their armed guests. The expense of such a standing force and it's inconsistence with our principles dispense with all obligations of hospitality which would necessarily ~~induce that~~ call for it, & leave us equally free to exclude the navy as we are the army of a foreign power from commorance within our limits.

~~Until a redress of~~ With these aggressions in view we can scarcely bring our minds to notice any ~~addition to the catalogue~~ new violation of maritime rights, ~~violated towards us by that nation their government however~~ which has been added to the catalogue of former unlawful practices. One however is of such extent as cannot be overlooked. The government of that nation has issued an order interdicting all trade by neutrals, ~~not only from one port to another of the same nation at war with her, but of different nations also at war with her:~~ between ports not in amity with them. And being now at war with every nation on the Atlantic & Mediterranean seas, our vessels are ~~now forbidden to pass from any one port to any other of those seas without first returning home, so that unless their whole cargo must be sold in the first port they touch~~ with our principles dispense with ~~all~~ those obligations of hospitality which would necessarily call for it, & leave us equally free to exclude the Navy, as we are the Army of a foreign power ~~within~~ from entering our limits:

~~With these aggressions in view, we can scarcely bring our minds to notice any new violations of maritime rights which has been added to former unlawful practices.~~ To former violations of maritime rights another is now added of very serious extent. ~~One however is of such extent as cannot be overlooked.~~ The government of that nation has issued an order interdicting all trade by Neutrals between ports not in amity with them. And being now at war with nearly every nation on the Atlantic & Mediterranean seas, our vessels are required to sacrifice their cargoes at the first port they touch, or to return home without the benefit of going to any other market. Under this new law of the Ocean, our trade on the Mediterranean has been swept away by seisures & condemnations, and that on other seas is threatened with the same fate.

~~at or brought back. The object of these successive pretensions cannot be cloacked. It is that there shall be no vessel on the ocean which does not belong to Great Britain, and~~ required to sacrifice their cargo at the first port they touch, or to ~~bring it home~~ return home without the benefit of ~~trying~~ going to any other market. Under this new law of the ocean our trade on the Mediterranean has been swept away by seizures & condemnations, and that in other seas ~~places has been more recently attacked also not a little vexed assailed~~ is ~~likely to share~~ threatened with the same fate.

Spain. Our differences with Spain remain still unsettled, no measure having been taken on her part, since my last communications to Congress, to bring them to a close. But ~~the present~~ under a state of things ~~in Europe admitting their being resumed under better expectations,~~ which may favor reconsideration they have been recently pressed, and may be expected without further delay to be brought to an issue of some sort. To our former grounds of complaint has been added a very serious one, as you will see by the decree, a copy of which is now commu-

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nicated. Proper representations have been made on the occasion, and I have reason to expect they have not been without effect. No new collisions ~~have taken place~~ with their subjects on our borders, have taken place, or seem to be apprehended during the short period now to intervene before an answer which shall decide our course.

~~on the occasion and I have reason to expect they have not been without effect. No new collisions with their subjects on our borders have taken place, or seem to be apprehended during the short period now to intervene before an answer which shall decide our course will be decided by other circumstances.~~ With their subjects on our borders no new collisions have taken place; nor seem immediately to be apprehended. Whether this decree which professes to be conformable to that of the French government of Nov. 21. 1806, before communicated to Congress, will also be conformed to that in it's construction and application in relation to the US. had not been ascertained at the date of our last communications. These however gave reason to expect that it would.

Other nations. With the other nations of Europe our harmony has been uninterrupted, & commerce & friendly intercourse have been maintained on their usual footing.

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Barbary. Our peace with the several states on the coast of Barbary appears as firm as, at any former period, and as likely to continue as that of any other nation.

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Indians. Among our Indian neighbors in the North Western quarter, some fermentation was observed soon after the late occurrences threatening the continuance of our peace. Messages were said to be interchanged, and tokens to be passing which usually denote a state of restlessness among them, and the character of the agitators pointed to the source of excitement. Measures were immediately taken for providing against that danger; instructions were given to require explanations, and, with assurances of our continued friendship, to admonish the tribes to remain quiet at home, taking no part in quarrels not belonging to them. As far as we are yet informed, the tribes in our vicinity, who are most advanced in the pursuits of industry, are sincerely disposed to adhere to their friendship with us & to their peace with all others; while those more remote & more frequented by foreign agents do not ~~shew that~~ present appearances sufficiently quiet ~~aspect which would permit an~~ to justify the intermission of military ~~preparation~~ precaution on our part.

The great tribes on our South Western quarter, much advanced beyond the others in

Among our Indian neighbors in the North Western quarter, some fermentation was observed soon after the late occurrences threatening the continuance of our peace. Messages were said to be interchanged and tokens to be passing which usually denote a state of restlessness among them, & the character of the Agitators pointed to the source of excitement. Measures were immediately taken for providing against that danger. Instructions were given to require explanations, and with assurances of our continued friendship, to admonish the tribes to remain quiet at home, taking no part in quarrels not belonging to them. As far as we are yet informed, the tribes in our vicinity, who are most advanced in the pursuits of industry are sincerely disposed ~~to adhere to their friendship with us & to their peace~~ to adhere to their friendship with us and to their peace with all others while those more remote do not present appearances sufficiently quiet to justify the intermission of military precaution on our part.

The great tribes on our South Western quarter, much advanced beyond the others in

agriculture & household arts, appear tranquil & identifying ~~with us in~~ their views with ours in proportion to their advancements. With the whole of these people in every quarter I shall continue to inculcate peace & friendship with all their neighbors, & perseverance in those occupations & pursuits which will best promote their own well-being.

Fortifications. The appropriations of the last session for defence of our Sea port towns & harbors, were made under ~~the~~ expectation that a continuance of our peace would permit us to proceed in that work according to our convenience. It has been thought better to ~~employ~~ apply the sums then given chiefly to the defence of New York, Charleston, & New Orleans, as most open & most likely first to need protection; and to leave places less immediately in danger to the provisions of the present session.

Gunboats. The gunboats too already provided, have on the ~~same~~ a like principle been chiefly assigned to New York, New Orleans & the mouth of the Chesapeake. Whether our moveable force on the water, so material in aid of the defensive works on land, should

agriculture and household arts, appear tranquil and identifying their views with ours, in proportion to their advancements. With the whole of these people, in every quarter, I shall continue to inculcate peace and friendship with all their neighbors, & perseverance in those occupations and pursuits which will best promote ~~their~~ own well being.

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be augmented in this, or ~~what~~ any other form, is left to ~~your~~ the wisdom of the legislature. For the purpose of manning these vessels in sudden attack ~~of~~ on our harbors, ~~it becomes difficulties too are likely to occur in manning these vessels even for harbor defence it is~~ is a matter ~~therefore~~ for consideration ~~therefore~~ whether the seamen of the US. may not justly be formed into a special militia to be called on for tours of duty in defence of the harbors where they shall happen to be.

Magazines. The moment our peace was threatened, I deemed it indispensable to secure ample provision of every article of military stores, ~~of~~ with which our magazines were not sufficiently ~~provided~~ furnished. To have awaited a previous & special sanction by law, would have lost occasions which might never be retrieved. I did not hesitate therefore to authorize engagements for such supplements to our existing stock, as would render it adequate to the emergencies threatening us. These contracts are considerable, and depend for their execution, on provisions to be made by ~~yourselves~~ the legislature, who feeling the same anxiety for the safety of our country,

form, is left to the wisdom of the legislature. For the purpose of manning these vessels, in sudden attacks on our harbours, it is a matter for consideration whether the seamen of the US. may not justly be formed into a special militia, to be called on for tours of duty, in defence of the harbours where they shall happen to be; the ordinary militia of the place furnishing that portion which may consist of landsmen.

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so materially ensured by this precaution, will, I trust, approve, when done, what, ~~if then assembled, you~~ they would have seen so important to be done, if then assembled. Accounts of these contracts shall be laid before you.

Army. Whether a regular army is to be raised, & to what extent, must depend on the information so shortly expected. In the meantime I have called on the states for quotas of militia to be in readiness for present defence; & have moreover encouraged the acceptance of Volunteers, & am happy to inform you that these have offered themselves with great alacrity in every part of the Union. ~~and in greater numbers than they were required.~~ They are ordered to be organized, and ready at a moment's warning to proceed on any service to which they may be called; and every preparation within the Executive powers has been made to ensure us the benefit of early exertions.

I informed Congress, at their last session, of the enterprises against the public peace which were believed to be in preparation by Aaron Burr & his associates, of the measures taken to defeat them, & to bring the offen-

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I informed Congress at their last session of the enterprises against the public peace which were believed to be in preparation by Aaron Burr and his associates, of the measures taken to defeat them, & to bring

ders to justice. Their enterprises were happily defeated, by the patriotic exertions of the militia, wherever called into action, & by the fidelity of the army, and energy of the Commander in chief ~~of the army of the US.~~ in promptly arranging the difficulties presenting themselves on the Sabine, repairing to meet those arising on the Mississippi, & dissipating before their explosion, plots engendering there. And truth & duty alone extort the observation that wherever the laws were appealed to in aid of the public safety, their operations ~~were~~ was on behalf of those only against whom they were invoked. As a part of the public you have learned the arraignment of the principal offenders in the District court of Virginia. I have thought it my duty to lay before you the proceedings & the evidence publicly exhibited there together with some which was not publicly heard. ~~This~~ You will be enabled ~~you~~ to judge whether the defect was in the testimony, or in the laws, or ~~whether there is not a radical defect~~ in the administration of the law? And wherever it shall be found the legislature alone can apply or originate the remedy. The framers of our con-

the offenders to justice. Their enterprises ~~were~~ have been happily defeated, by the patriotic exertions of the militia, wherever called into action, by the fidelity of the army, and energy of the Commander in chief in promptly arranging the difficulties presenting themselves on the Sabine, repairing to meet those arising on the Mississippi, and dissipating, before their explosion, plots engendering there. ~~And truth & duty alone extort the observation that whenever the laws were appealed to in aid of the public safety, their operation was on behalf of those only against whom they were invoked. As a part of the public you have learned the arraignment of the principal offenders in the District court of Virginia.~~ I ~~have thought it~~ shall consider it my duty to lay before you the proceedings, & the evidence publicly exhibited on the arraignment of the principal offenders before the District court of Virginia, ~~there,~~ together with some evidence ~~which was~~ not ~~publicly~~ there heard. From the whole you will be enabled to judge whether the defect was in the testimony, in the law, or in the administration of the law; and wherever it shall be found, the legislature

stitution certainly supposed they had guarded, as well their government against destruction by treason, as their citizens against oppression under pretence of it: and if ~~the pliability of the law as construed in the case of Fries, and it's wonderful refractoriness as construed in that of Burr, shew that neither end has been attained, and induce an awful doubt whether we all live under the same law. The right of the jury too to decide law as well as fact seems nugatory without the evidence pertinent to their sense of the law. If~~ these ends are not attained it becomes worthy of enquiry by what means more effectual they may be secured?

Finance. The receipts of the Treasury, during the year ending the day of have exceeded the sum of millions of Dollars: which with millions in the treasury at the beginning of the year, have enabled us after meeting the current demands to pay millions of the principal of our public debt & millions of interest. These paiments with those of the preceding 5½ years have extinguished of the funded debt millions of D. being the

alone can apply or originate the remedy. The framers of our constitution certainly supposed they had guarded, as well their government against destruction by treason, as their citizens against oppression under pretence of it: and if these ends are not obtained, it ~~becomes worthy of enquiry~~ is of importance to enquire by what means, more effectual, they may be secured.

Finance. The accounts of the receipts of revenue during the present year being not yet all made up ~~received~~, a correct statement will be hereafter transmitted from the Treasury. In the meantime it is ascertained that the receipts have Dollars; which with millions in the treasury at the beginning of the year have enabled us, after meeting the current demands and interest incurred, to pay millions of the principal of our funded debt. These

whole which ~~can~~ could be paid or purchased within the limits of the law & of our contracts, and have left us in the treasury millions of Dollars. This sum may be considered as a commencement of accumulatn of the surpluses of revenue, which after paying the instalments of debt as they shall become payable will remain without any specific object. A part indeed may be advantageously applied towards providing defence for the exposed points of our country, on such a scale as shall be adapted to our principles & circumstances. This object is doubtless among the first ~~which claims~~ entitled to attention in such a state of our finances, & it is one which whether we have peace or war, will give ~~a state of~~ security ~~always desirable~~ where it is due. Whether what will remain of this with the future surplusses, may be usefully applied to purposes already authorized, or more usefully to others requiring new authorities, or how otherwise they shall be disposed of, are questions calling for ~~early~~ the notice from Congress, unless indeed they shall be superceded by a change in ~~the~~ our ~~state of things~~ public relations, now ~~depending on~~ paiments, with those of the preceding five & a half years have extinguished of the funded debt, millions of dollars, being the whole which could be paid or purchased within the limits of the law, and of our contract, and have left us in the treasury millions of Dollars. A portion of this sum may be considered as a commencement of accumulation of the surpluses of revenue, which, after paying the instalments of debt, as they shall become payable, will remain without specific object. A part indeed may be advantageously applied towards providing defence for the exposed points of our country, on such a scale as shall be adapted to our principles & circumstances. This object is doubtless among the first entitled to attention, in such a state of our finances, and it is one which, whether we have peace or war, will give security where it is due. Whether what shall remain of this, with the future surpluses, may be usefully applied to purposes already authorized, or more usefully to others requiring new authorities, or how otherwise they shall be disposed of, are questions calling for the notice of Congress; unless indeed they

awaiting the ~~decision~~ determination of others. Whatever be that determination it is a great consoln that it will ~~be read~~ become known at a moment when the supreme council of the nation is assembled at it's post, and ready to give the aids of it's wisdom & authority to whatever course the good of our country shall then call us to pursue.

Some matters of minor importance will be the subjects of future communications, & nothing shall be wanting on my part which may give informn or dispatch to the proceedings of the legislature, in the exercise of their high duties and at a moment so interesting to the public welfare.

shall be superceded by a change in our public relations, now awaiting the determination of others. Whatever be that determination it is a great consolation that it will become known at a moment when the supreme council of the nation is assembled at it's post, and ready to give the aids of it's wisdom & authority to whatever course the good of our country shall then call us to pursue.

Matters of minor importance will be the subjects of future communications; and nothing shall be wanting on my part which may give information or dispatch to the proceedings of the legislature in the exercise of their high functions, and at a moment so interesting to the public welfare.

TO THE GOVERNOR OF THE MISSISSIPPI TERRITORY.

(ROBERT WILLIAMS.)

WASHINGTON, November 1, 1807.

SIR,—I have duly received your letter of August 25th, in which you express a wish that the letters received from you may be acknoledged, in order to ascertain their safe transmission. Those received the present year have been of Mar. 14, May 11, & 30, June 8, July 3, August 12, and 25. They have not been before acknoleged in conformity with a practice which the constant pressure of business has forced me to follow, of not answering letters which do not necessarily require it. I have seen with regret, the violence of the dissensions in your quarter. We have

the same in the territories of Louisiana & Michigan. It seems that the smaller the society the bitterer the dissensions into which it breaks. Perhaps this observation answers all the objections drawn by Mr. Adams from the small republics of Italy. I believe ours is to owe it's permanence to it's great extent, and the smaller portion comparatively, which can ever be convulsed at one time by local passions. We expect shortly now to hear from England, and to know how the present cloud is to terminate. We are all pacifically inclined here, if anything comes from thence which will permit us to follow our inclinations. I salute you with esteem & respect.

TO THE SECRETARY OF THE TREASURY. J. MSS.

(ALBERT GALLATIN.)

Nov. 22, 07.

The defence of Orleans against a land army can never be provided for, according to the principles of the Constitution, till we can get a sufficient militia there. I think therefore to get the enclosed bill brought forward again. Will you be so good as to make any alterations in it which the present state of the surveys may have rendered necessary, & any others you shall think for the better?

CONFIDENTIAL MESSAGE.[1]

[Dec. 7, 1807.]

To the Senate & House of Representatives of the United States:

Having recently received from our late Minister Plenipotentiary at the court of London a duplicate of dispatches, the original

[1] Sent with the following message to the Vice-President and Speaker of the House of Representatives.

"Dec. 7, 1807.

"SIR,—The papers now communicated to your house for perusal being to be read in the other house also, and, as originals, to be returned to me, Mr. Coles, my Secretary, will attend to receive them, after they shall have been read to the satisfaction of your house; and, having handed them to the other house for the

of which has been sent by the Revenge schooner not yet arrived, I hasten to lay them before both houses of Congress. They contain the whole of what has passed between the two governments on the subject of the outrage committed by the British ship Leopard on the frigate Chesapeak. Congress will learn from these papers the present state of the discussion on that transaction, and that it is to be transferred to this place by the mission of a special minister.

While this information will have it's proper effect on their deliberations & proceedings respecting the relations between the two countries, they will be sensible that, the negociation being still depending, it is proper for me to request that the communications may be considered as confidential.

TO JOEL BARLOW.

WASHINGTON, Dec. 10, 07.

DEAR SIR,—I return you Mr. Law's letter, with thanks for the communication. I wish he may be a true prophet as to peace in 6. months. It is impossible that any other man should wish it as much as I do; altho' duty may controul that wish. The desire of peace is very much strengthened in me by that which I feel in favor of the great subjects of yours & Mr. Fulton's letters. I had fondly hoped to set those enterprizes into motion with the last legislature I shall

same purpose he will return them to me. I ask the favor of your aid in having this course pursued & in preventing their going from the clerk's table, or copies, or extracts being made from them by any one. I salute you with great esteem & respect."

"Dec. 8.—The Speaker apprehending it might be necessary for him to read this letter to the house, & that the last paragraph might be offensive, I took back this, & gave him a copy to the words 'return them to me,' and I took back also that to the V. President (not yet delivered) and sent a copy to the word 'pursued.'"

meet. But the chance of war is an unfortunate check. I do not however despair that the proposition of amendment may be sent down this session to the legislatures. But it is not certain. There is a snail-paced gait for the advance of new ideas on the general mind, under which we must acquiesce. A 40. years' experience of popular assemblies has taught me, that you must give them time for every step you take. If too hard pushed, they baulk, & the machine retrogrades. I doubt whether precedence will be given to your part of the plan before Mr. Fulton's. People generally have more feeling for canals & roads than education. However, I hope we can advance them with equal pace. If the amendment is sent out this session, returned to the next, and no war takes place, we may offer the plan to the next session in the form of a bill, the preparation of which should be the work of the ensuing summer. I salute you affectionately.

SPECIAL MESSAGE ON COMMERCIAL DEPREDATIONS.[1]

December 18, 1807.

To the Senate and House of Representatives of the United States :—

The communications now made, showing the great and increasing dangers with which our vessels, our seamen, and merchandise, are

[1] Jefferson wrote Gallatin :

" December 18, 1807.

" Monroe will be here on Sunday ; he will bring us no new information, as far as can be judged from his letter ; but on the subject of the proclamation, should the message wait for him ? I will keep it back till half after ten o'clock for your opinion, either written or verbal. Affectionate salutations.

" I have just received your note, and am clearly for the exception ; but come here before half after ten, and let us be together before the message goes out of our hands."

threatened on the high seas and elsewhere, from the belligerent powers of Europe, and it being of great importance to keep in safety these essential resources, I deem it my duty to recommend the subject to the consideration of Congress, who will doubtless perceive all the advantages which may be expected from an inhibition of the departure of our vessels from the ports of the United States.

Their wisdom will also see the necessity of making every preparation for whatever events may grow out of the present crisis.

TO THE SECRETARY OF THE TREASURY. J. MSS.
(ALBERT GALLATIN.)

WASHINGTON, Dec. 29, 1807.

It is impossible to detest more than I do the fraudulent & injurious practice of covering foreign vessels & cargoes under the American flag; and I sincerely wish a systematic & severe course of punishment could be established. It is only as a punishment of this fraud, that we could deny to the Portuguese vessel the liberty of departing. But I do not know that a solitary & accidental instance of punishment would have any effect. The vessel is *bonâ fide* Portuguese, the crew Portuguese, loaded with provisions for Portugal, an unoffending & friendly country, to whom we wish no ill. I have not sufficiently considered the embargo act, to say how far the Executive is at liberty to decide on these cases. But if we are free to do it, I should be much disposed to take back her American papers, & let her go, especially on giving bond & security to land the cargo in Portugal, dangers of the sea & superior force excepted. Perhaps it would be proper to require the captain to give up also his certificate of citizenship, which is also merely fraudulent, has been the ground of fraudulent conversion, and may be used on the voyage as a fraudulent cover to the cargo. Affect. salutations.

TO THE SECRETARY AT WAR.[1] J. MSS.

(HENRY DEARBORN.)

WASHINGTON, January 8, 1808.

DEAR SIR,—Your letter of Dec. 29 brings to my mind a subject which never has presented itself but with great pain, that of your withdrawing from the administration, before I withdraw myself. It would have been to me the greatest of consolations to have gone thro my term with the same coadjutors, and to have shared with them the merit, or demerit, of whatever good or evil we may have done. The integrity, attention, skill, & economy with which you have conducted your department, have given me the most compleat and unqualified satisfaction, and this testimony I bear to it with all the sincerity of truth and friendship; and should a war come on, there is no person in the U.S. to whose management and care I could commit it with equal confidence. That you as well as myself, & all our brethren, have maligners, who from ill-

[1] Jefferson further wrote to Dearborn:

"MONTICELLO, May 25, 08.

"DEAR SIR,—There is a subject on which I wished to speak with you before I left Washington; but an apt occasion did not occur. It is that of your continuance in office. Perhaps it is as well to submit my thoughts to you by letter. The present summer is too important in point of preparation, to leave your department unfilled, for any time, as I once thought might be done; and it would be with extreme reluctance that, so near the time of my own retirement, I should proceed to name any high officer, especially one who must be of the intimate councils of my successor, and who ought of course to be in his unreserved confidence. I think too it would make an honorable close of your term as well as mine, to leave our country in a state of substantial defence, which we found quite unprepared for it. Indeed, it would for me be a joyful annunciation to the next meeting of Congress, that the operations of defence are all compleat. I know that New York must be an exception; but perhaps even that may be closed before the 4th of March, when you & I might both make our bow with approbation & satisfaction. Nor should I suppose that under present circumstances, anything interesting in your future office could make it important for you to repair to it's immediate occupation. In February my successor will be declared, and may then, without reserve, say whom he would wish me to nominate to the Senate in your place. I submit these circumstances to your consideration, & wishing in all things to consult your interests, your fame & feelings, it will give me sincere joy to learn that you will 'watch with me to the end.' I salute you with great affection and respect."

temper, or disappointment, seek opportunities of venting their angry passions against us, is well known, & too well understood by our constituents to be regarded. No man who can succeed you will have fewer, nor will any one enjoy a more extensive confidence thro the nation. Finding that I could not retain you to the end of my term, I had wished to protract your stay, till I could with propriety devolve on another the naming of your successor. But this probably could not be done till about the time of our separation in July. Your continuance however, till after the end of the session, will relieve me from the necessity of any nomination during the session, & will leave me only a chasm of 2 or 3 months over which I must hobble as well as I can. My greatest difficulty will arise from the carrying on the system of defensive works we propose to erect. That these should have been fairly under way, and in a course of execution, under your direction, would have peculiarly relieved me; because we concur so exactly in the scale on which they are to be executed. Unacquainted with the details myself, I fear that when you are gone, aided only by your chief clerk, I shall be assailed with schemes of improvement and alterations which I shall be embarrassed to pronounce on, or withstand, and incur augmentations of expense, which I shall not know how to control. I speak of the interval between the close of this session, when you propose to retire, & the commencement of our usual recess in July. Because during that recess, we are in the habit of leaving things to the chief clerks; and, by the end of it, my successor may be pretty well known, and prevailed on to name yours. However, I am so much relieved by your ekeing out your continuance to the end of the session, that I feel myself bound to consult your inclinations then, & to take on myself the difficulties of the short period then ensuing. In public or in private, and in all situations, I shall retain for you the most cordial esteem, and satisfactory recollections of the harmony & friendship with which we have run our race together; and I pray you now to accept sincere assurances of it, & of my great respect & attachment.

TO CHARLES THOMSON.[1]

WASHINGTON, Jan. 11, 08.

MY DEAR AND ANTIENT FRIEND,—I see by the newspapers your translation of the Septuagint is now to be printed, and I write this to pray to be admitted as a subscriber. I wish it may not be too late for you to reconsider the size in which it is to be published. Folios and quartos are now laid aside because of their inconvenience. Everything is now printed in 8vo, 12mo or petit format. The English booksellers print their first editions indeed in 4to, because they can assess a larger price on account of the novelty; but the bulk of readers generally wait for the 2d edition, which is for the most part in 8vo. This is what I have long practised myself. Johnson, of Philadelphia, set the example of printing handsome edition of the Bible in 4v., 8vo. I wish yours were in the same form. I have learnt from time to time with great satisfaction that you retain your health, spirits and activity of mind and body. Mr. Dickinson too is nearly in the same way; he exchanges a letter with me now and then. The principal effect of age of which I am sensible is an indisposition to be goaded by business from morning to night, from laboring in an Augean stable, which cleared out at night presents an equal task the next morning. I want to have some time to turn to subjects more congenial to my mind. Mr. Rose still stays on board his ship at Hampton, we know not why. If he is seeking time we may indulge time. Time prepares us for defence;

[1] From *Collections of the N. Y. Historical Society for 1878*, p. 256.

time may produce peace in Europe that removes the ground of difference with England until another European war, and that may find our revenues liberated by the discharge of our national debt, our wealth and numbers increased, our friendship and our enmity more important to every nation. God bless you and give you years and health to your own wishes. Remember me respectfully to Mrs. Thomson and accept yourself my affectionate salutation.

TO REV. SAMUEL MILLER. J. MSS.

WASHINGTON, Jan. 23, 08.

SIR,—I have duly received your favor of the 18th and am thankful to you for having written it, because it is more agreeable to prevent than to refuse what I do not think myself authorized to comply with. I consider the government of the US. as interdicted by the Constitution from intermeddling with religious institutions, their doctrines, discipline, or exercises. This results not only from the provision that no law shall be made respecting the establishment, or free exercise, of religion, but from that also which reserves to the states the powers not delegated to the U. S. Certainly no power to prescribe any religious exercise, or to assume authority in religious discipline, has been delegated to the general government. It must then rest with the states, as far as it can be in any human authority. But it is only proposed that I should *recommend*, not prescribe a day of fasting & prayer. That is, that I should *indirectly* assume to

the U. S. an authority over religious exercises which the Constitution has directly precluded them from. It must be meant too that this recommendation is to carry some authority, and to be sanctioned by some penalty on those who disregard it; not indeed of fine and imprisonment, but of some degree of proscription perhaps in public opinion. And does the change in the nature of the penalty make the recommendation the less *a law* of conduct for those to whom it is directed? I do not believe it is for the interest of religion to invite the civil magistrate to direct it's exercises, it's discipline, or it's doctrines; nor of the religious societies that the general government should be invested with the power of effecting any uniformity of time or matter among them. Fasting & prayer are religious exercises. The enjoining them an act of discipline. Every religious society has a right to determine for itself the times for these exercises, & the objects proper for them, according to their own particular tenets; and this right can never be safer than in their own hands, where the constitution has deposited it.

I am aware that the practice of my predecessors may be quoted. But I have ever believed that the example of state executives led to the assumption of that authority by the general government, without due examination, which would have discovered that what might be a right in a state government, was a violation of that right when assumed by another. Be this as it may, every one must act according to the dictates of his own reason, & mine tells me that civil powers

alone have been given to the President of the US. and no authority to direct the religious exercises of his constituents.

I again express my satisfaction that you have been so good as to give me an opportunity of explaining myself in a private letter, in which I could give my reasons more in detail than might have been done in a public answer: and I pray you to accept the assurances of my high esteem & respect.

SPECIAL MESSAGE ON NEUTRALS.

February 2, 1808.

To the Senate and House of Representatives of the United States:—

Having received an official communication of certain orders of the British government against the maritime rights of neutrals, bearing date the 11th of November, 1807, I transmit it to Congress, as a further proof of the increasing dangers to our navigation and commerce which led to the provident measures of the present session, laying an embargo on our own vessels.

TO JAMES MONROE. J. MSS.

WASHINGTON, Feb. 18, '08.

MY DEAR SIR,—You informed me that the instruments you had been so kind as to bring for me from England, would arrive at Richmond with your baggage, and you wished to know what was to be done with them there. I will ask the favor of you to deliver them to Mr. Jefferson, who will forward them to Monticello in the way I shall advise him. And I must entreat you to send me either a note of their

amount, or the bills, that I may be enabled to reimburse you. There can be no pecuniary matter between us, against which this can be any set-off. But if, contrary to my recollection or knoledge, there were anything, I pray that that may be left to be settled by itself. If I could have known the amount beforehand, I should have remitted it, and asked the advance only under the idea that it should be the same as ready money to you on your arrival. I must again, therefore, beseech you to let me know its amount.

I see with infinite grief a contest arising between yourself and another, who have been very dear to each other, and equally so to me. I sincerely pray that these dispositions may not be affected between you; with me I confidently trust they will not. For independently of the dictates of public duty, which prescribe neutrality to me, my sincere friendship for you both will ensure it's sacred observance. I suffer no one to converse with me on the subject. I already perceive my old friend Clinton, estranging himself from me. No doubt lies are carried to him, as they will be to the other two candidates, under forms which however false. he can scarcely question. Yet I have been equally careful as to him also, never to say a word on this subject. The object of the contest is a fair & honorable one, equally open to you all; and I have no doubt the personal conduct of all will be so chaste, as to offer no ground of dissatisfaction with each other. But your friends will not be as delicate. I know too well from experience the progress of political controversy, and the exacerbation of spirit

into which it degenerates, not to fear for the continuance of your mutual esteem. One piquing thing said draws on another, that a third, and always with increasing acrimony, until all restraint is thrown off, and it becomes difficult for yourselves to keep clear of the toils in which your friends will endeavor to interlace you, and to avoid the participation in their passions which they will endeavor to produce. A candid recollection of what you know of each other will be the true corrective. With respect to myself, I hope they will spare me. My longings for retirement are so strong, that I with difficulty encounter the daily drudgeries of my duty. But my wish for retirement itself is not stronger than that of carrying into it the affections of all my friends. I have ever viewed Mr. Madison and yourself as two principal pillars of my happiness. Were either to be withdrawn, I should consider it as among the greatest calamities which could assail my future peace of mind. I have great confidence that the candor & high understanding of both will guard me against this misfortune, the bare possibility of which has so far weighed on my mind, that I could not be easy without unburthening it.

Accept my respectful salutations for yourself and Mrs. Monroe, & be assured of my constant & sincere friendship.[1]

[1] The following letters from Jefferson to Monroe, relate to this "sore headedness" of the latter:

WASHINGTON, Mar. 10, '08.

DEAR SIR,— * * * From your letter of the 27th ultimo, I perceive that painful impressions have been made on your mind during your late mission, of which I had never entertained a suspicion. I must, therefore, examine the grounds, because explanations between reasonable men can never but do good. 1. You consider the mission of Mr. Pinckney as an associate, to have been in

TO THE SECRETARY OF STATE. J. MSS.
(JAMES MADISON.)

Mar. 11, 08.

I suppose we must dispatch another packet by the 1st of Apr. at farthest. I take it to be an universal opinion that war will become preferable to a continuance of the embargo after a certain

some way injurious to you. Were I to take that measure on myself, I might say in its justification, that it has been the regular & habitual practise of the U S to do this, under every form in which their government has existed. I need not recapitulate the multiplied instances, because you will readily recollect them. I went as an adjunct to Dr. Franklin & Mr. Adams, yourself as an adjunct first to Mr. Livingston, and then to Mr. Pinckney, & I really believe there has scarcely been a great occasion which has not produced an extraordinary mission. Still, however, it is well known that I was strongly opposed to it in the case of which you complain. A committee of the Senate called on me with two resolutions of that body on the subject of impressment & spoliations by G Britain, & requesting that I would demand satisfaction. After delivering the resolutions, the committee entered into free conversation, and observed, that although the Senate could not, in form, recommend any extraordinary mission, yet that as individuals, there was but one sentiment among them on the measure, and they pressed it. I was so much averse to it, & gave them so hard an answer, that they felt it, and spoke of it. But it did not end here. The members of the other House took up the subject, and set upon me individually, and these the best friends to you, as well as myself, and represented the responsibility which a failure to obtain redress would throw on us both, pursuing a conduct in opposition to the opinion of nearly every member of the Legislature. I found it necessary, at length, to yield my own opinion to the general sense of the national council, and it really seemed to produce a jubilee among them; not from any want of confidence in you, but from a belief in the effect which an extraordinary mission would have on the British mind, by demonstrating the degree of importance which this country attached to the rights which we considered as infracted.

2. You complain of the manner in which the treaty was received. But what was that manner? I cannot suppose you to have given a moment's credit to the stuff which was crowded in all sorts of forms into the public papers, or to the thousand speeches they put into my mouth, not a word of which I had ever uttered. I was not insensible at the time of the views to mischief, with which these lies were fabricated. But my confidence was firm, that neither yourself nor the British government, equally outraged by them, would believe me capable of making the editors of newspapers the confidants of my speeches or opinions. The fact was this. The treaty was communicated to us by Mr. Erskine on the day Congress was to rise. Two of the Senators inquired of me in the evening, whether it was my purpose to detain them on

time. Should we not then avail ourselves of the intervening period to procure a retraction of the obnoxious decrees peaceably, if possible? An opening is given us by both parties, sufficient to form a basis for such a proposition.

account of the treaty. My answer was, "that it was not: that the treaty containing no provision against the impressment of our seamen, and being accompanied by a kind of protestation of the British ministers, which would leave that government free to consider it as a treaty or no treaty, according to their own convenience, I should not give them the trouble of deliberating on it." This was substantially, & almost verbally, what I said whenever spoken to about it, and I never failed when the occasion would admit of it, to justify yourself and Mr. Pinckney, by expressing my conviction, that it was all that could be obtained from the British government; that you had told their commissioners that your government could not be pledged to ratify, because it was contrary to their instructions; of course, that it should be considered but as a projet; and in this light I stated it publicly in my message to Congress on the opening of the session. Not a single article of the treaty was ever made known beyond the members of the administration, nor would an article of it be known at this day, but for it's publication in the newspapers, as communicated by somebody from beyond the water, as we have always understood. But as to myself, I can solemnly protest, as the most sacred of truths, that I never, one instant, lost sight of your reputation and favorable standing with your country, & never omitted to justify your failure to attain our wish, as one which was probably unattainable. Reviewing therefore, this whole subject, I cannot doubt you will become sensible, that your impressions have been without just ground. I cannot, indeed, judge what falsehoods may have been written or told you; and that, under such forms as to command belief. But you will soon find, my dear Sir, that so inveterate is the rancor of party spirit among us, that nothing ought to be credited but what we hear with our own ears. If you are less on your guard than we are here, at this moment, the designs of the mischief-makers will not fail to be accomplished, and brethren & friends will be made strangers & enemies to each other, without ever having said or thought a thing amiss of each other. I presume that the most insidious falsehoods are daily carried to you, as they are brought to me, to engage us in the passions of our informers, and stated so positively & plausibly as to make even *doubt* a rudeness to the narrator; who, imposed on himself, has no other than the friendly view of putting us on our guard. My answer is, invariably, that my knoledge of your character is better testimony to me of a negative, than any affirmative which my informant did not hear *from yourself* with his own ears. In fact, when you shall have been a little longer among us you will find that little is to be believed which interests the prevailing passions, and happens beyond the limits of our own senses. Let us not then, my dear friend, embark our happiness and our affections on the ocean of slander, of falsehood & of

I wish you to consider, therefore, the following course of proceeding, to wit:

To instruct our ministers at Paris & London, by the next packet, to propose immediately to both these powers a declara-

malice, on which our credulous friends are floating. If you have been made to believe that I ever did, said, or thought a thing unfriendly to your fame & feelings, you do me injury as causeless as it is afflicting to me. In the present contest in which you are concerned, I feel no passion, I take no part, I express no sentiment. Whichever of my friends is called to the supreme cares of the nation, I know that they will be wisely & faithfully administered, and as far as my individual conduct can influence, they shall be cordially supported. For myself I have nothing further to ask of the world, than to preserve in retirement so much of their esteem as I may have fairly earned, and to be permitted to pass in tranquillity, in the bosom of my family & friends, the days which yet remain for me. Having reached the harbor myself, I shall view with anxiety (but certainly not with a wish to be in their place) those who are still buffetting the storm, uncertain of their fate. Your voyage has so far been favorable, & that it may continue with entire prosperity, is the sincere prayer of that friendship which I have ever borne you, and of which I now assure you, with the tender of my high respect & affectionate salutations.

WASHINGTON, Apr. 11, 08

DEAR SIR,—An indisposition of periodical headache has for some time disabled me from business, and prevented my sooner acknowledging your letter of Mar. 22 and returning that of Feb. 2 06 which it inclosed. The receipt of that of Mar. 22 has given me sincere pleasure. Conscious that I never felt a sentiment towards you that was not affectionate it is a great relief to find that the doubts you have entertained on that subject are removed by an explanation of the circumstances which produced them. Some matters however, appearing from your letter, not yet sufficiently understood, I have conceived that a more minute detail of the facts bearing on them would compleatly disarm them of all misconstruction. I will state them in their exact chronological order, because that alone will resolve all doubts to which they may have given rise:

1805 While at Madrid, you signified your anxious wish & determination to return home, on considerations respecting your private interests.

1806, Feb. 21. The Senate passed their resolutions to demand satisfaction of England for spoliations & impressments. These were accompanied by a pressure from that body (informally) to add to both the commissions at London and Paris; and were backed by such earnest solicitations from the individual members of the other house as showed the opinion to be general that such an enlargement manifesting our sense of the importance of the missions, would make the greater impression.

28. Having at length yielded (with a reluctance, well remembered by all) I nominated Armstrong & Bowdoin to treat with Spain at Paris, and

March (about the beginning of the month) Mr. Pinckney was applied to

tion on both sides that these decrees & orders shall no longer be extended to vessels of the United States, in which case we shall remain faithfully neutral; but, without assuming the air of menace, to let them both perceive that if they do not withdraw

accept the appointment as joint commissioner with you, with a commission to succeed you when you should leave London.

March 11. Mr. Madison's letter was written giving you notice of it.

13. Mr. Pinckney accepted.

16. My first letter to you was written, mentioning Mr. Pinckney would be associated with you.

18. My 2d letter, mentioning the possibility of adding a 3d commissioner for having proposed to a particular individual to be added to Armstrong & Bowdoin at Paris it was thought necessary, if that should take place, to make an equal addition for London. But the refusal of that person prevented further addition at either place.

31. Apr. 1, 2. Your letter of Feb. 2 is believed to have been received on one of these days. Being a private one, the date of its receipt was not noted in the office, but I presume it was received Apr. 2, because I find I received on that day letters from Europe, which probably came by the same conveyance.

Apr. 19. The nomination of Pinckney & yourself was not made *in form* till this day, because he was not ready to go, and the answer of the 3d commissioner proposed for Paris was received but a few days before this.

I had as you conjectured, really forgotten your letter of Feb. 2 by which the joining of an associate with you appeared to be unacceptable: but you will perceive that before its receipt, the measure was too far engaged to be undone, even if I could have ventured to have undone it against the general wish of the legislature and consequently that it had not been adopted in opposition to your advice, as that came too late to influence the decision.

Another circumstance, to wit, why you did not receive the first information of this association from either Mr. Madison or myself, is explained by this statement of dates. Mr. Madison's letter of Mar. 11 gave the intimation with less positiveness perhaps because written before Mr. Pinckney's acceptance was known: and an unfortunate disappointment prevented the success of my attempt, by the two original letters now inclosed to you. The purpose of appointing Mr. Pinckney was known about the beginning of March. On the 5th of that month Mr. John Randolph came out with his first philippic against the administration on the subject of the resolutions respecting Great Britain, which he followed up closely with others in close succession. Believing that an use was made of your name which was unjustifiable, I felt great anxiety to put you on your guard. A Mr. Prentis was going to England, and promised he would call at Norfolk and take any letters I should lodge there for you. I accordingly wrote that of Mar. 16 and another two days after showing you how little the H. of R. had been influenced by the desertion of their leader, mention-

these orders & decrees, there will arrive a time when our interests will render war preferable to a continuance of the embargo; that when that time arrives, if one has withdrawn & the other not, we must declare war against that other; if neither shall have

ing that Mr. Pinckney would be associated with you, and perhaps even a third, and promising more detailed explanations by a confidential person (Mr. Beckley) who meant to sail for London on the rising of Congress. Unfortunately Prentis never called on Colo. Newton with whom my letters were deposited, which therefore were returned to me, but not till June (the originals returned, which I happened to preserve are now returned to you) and Beckley declined his voyage, so that my effort to give you information was frustrated.

A third circumstance is to be noticed, and will close these supplementary explanations; to wit, that the letters from hence containing no expression of a desire that you should come home or remain there, & the facility afforded to your departure by the commissions to Mr. Pinckney seemed to authorize an inference that you were considered as in the way of the administration. The truth however was thus. Your letters from Madrid in 1804.5. expressed your anxious wish & intention to come home on your return to London. My extreme wish was that you should remain there, and I hoped by not being in a hurry to answer that manifestation of your desire, time might produce a change in your mind. But as soon as it was known (during the session of 1805.6) that yourself and Mr. Madison were both contemplated as candidates for the succession to the presidency, I became apprehensive that by declining longer to assent to your return, I might be suspected of a partial design to keep you out of the way. In fact it was openly said by some of those who were pressing your name and popularity into the service of their vindictive fashions. This produced the acquiescence in your desire to come home which then took place, and the commission to Mr. Pinckney to succeed you whenever you should determine to come. And these motives clearly show themselves in my letter of Mar. 16 which says 'I shall join Mr. Pinckney of Maryland as your associate for settling our differences with G. Britain. He will be authorized to take your place *whenever* you think yourself obliged to return. It is desirable for *your own*, as well as the *public* interest that you should join in the settlement of this business, and I am perfectly satisfied that if this can be done so as to be here *before the next meeting of Congress*, it will be greatly for your benefit. But I do not mean by this *to overrule your own determination* (i. e. either to stay or come home) which measures to be taken here will place in perfect freedom.' Here you will perceive how much I wished your aid in the joint commission, and that your longer continuance there could not but, in itself, be desirable, but that I did not ask it from an apprehension that your return before the next Congress might be important to your higher interests.

I consider it now as a great misfortune that my letter of Mar. 16 did not go on to you. It would, I trust, have corrected the inferences of a change in my

withdrawn, we must take our choice of enemies between them. This it will certainly be our duty to have ascertained by the time Congress shall meet in the fall or beginning of winter; so that taking off the embargo, they may decide whether war must be declared, & against whom. Affectionate salutations.

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affections towards you drawn from a combination of circumstances, which circumstances were produced from very different causes, and some of them from the strength of those very affections of which you thought that they noted a diminution, a desire to conform your movements, in point of time, to what I deemed your best interests. I have gone thus minutely into these details from a desire to eradicate from your mind every fiber of doubt as to my sentiments towards you; and I am persuaded they will satisfactorily solve every circumstance which might at any time have occasioned doubt. I have done it too the more cordially because I perceive from your letter that disposition to a correct view of the subject which I knew to be inherent in your mind. What I have hitherto said has been confined to my own part only of these transactions. Yet it would be a criminal suppression of truth were I not to add that in the whole course of them Mr. Madison has appeared to be governed by the most cordial friendship for you, has manifested on every occasion the most attentive concern for whatever might befriend your fame or fortune, and been as much alive to whatever regarded you, as a brother could have been.

I must now introduce a different concern. Lafayette's difficulties are pressing. You told us you thought Barring would readily give him a delay of 10 years. That term would so advance the value of his N. Orleans location that it would pay his debts without touching the mass of his grant. Barring is said to be arrived in this country. You said you would write to him on the subject. If you will send me such a letter it will give an opening for a negotiacion with him. We are giving orders for the immediate location of his lands, so as to make them a safe pledge. I salute you with great & unchanged affections.

WASHINGTON, Oct. 12, 08.

DEAR SIR,—Such was the accumulation of business awaiting me here, that it was not till this day that I could take time to look into my letters to you. As my copies are with the Polygraph I can refer to the originals in your hands by the page and line.

Letter of Feb. 18. 1st paragraph to be omitted, being merely of private business.

Pa. 1. l. 22. Perhaps the word 'old' may be misunderstood, & therefore better omitted.

Mar. 10. Omit the 1st paragraph, as merely of private business.

Pa. 1. l. 13. Strike out 'were I to take &c.' to 'in its justification that' and insert 'but.' You will be readily sensible that this whole passage would have an unpleasant effect both to myself & others if published.

SPECIAL MESSAGE ON COMMERCIAL DECREES.

March 17, 1808.

To the Senate and House of Representatives of the United States:—

I have heretofore communicated to Congress the decrees of the government of France of November 21st, 1806, and of Spain, February 19th, 1807, with the orders of the British government, of January and November, 1807.

I now transmit a decree of the Emperor of France, of December 17th, 1807, and a similar decree of the 3d January last, by his Catholic Majesty. Although the decree of France has not been received by official communication, yet the different channels of promulgation through which the public are possessed of it, with the formal testimony furnished by the government of Spain, in their decree, leave us without a doubt that such a one has been issued. These decrees and orders, taken together, want little of amounting to a declaration that every neutral vessel found on the high seas, whatsoever be her cargo, and whatsoever foreign port be that of her departure or destination, shall be deemed lawful prize; and they prove, more and more, the expediency of retaining our vessels, our seamen, and property, within our own harbors, until the dangers to which they are exposed can be removed or lessened.

L. 21. Strike out 'still however &c.' to the end of the paragraph in p. 2. l. 14. for the reason preceding.

Apr. 11. pa. 1. l. 12. Strike out 'I will state &c.' to page 3 l. 22. 'to wit' inclusive, and insert 'you observe.'

These details would be perverted & malignantly commented by our common enemies, and have bearings which render them improper for publication.

Pa. 5. Strike out the last paragraph respecting Lafayette's affairs. Indeed the whole of these letters were written without the least idea that they would ever be before the public and therefore, after stating the preceding omissions, I would rather trust your judgment than my own in deciding whether there be anything more which had better be omitted whether as respects myself or others. To me it is desirable that the public should know the high estimation in which I hold both you and Mr. Madison, & that no circumstance has abated my affection for either. I salute you with sincere friendship & respect.

SPECIAL MESSAGE ON BRITISH NEGOTIATION.

March 22, 1808.

To the Senate and House of Representatives of the United States :—

At the opening of the present session I informed the legislature that the measures which had been taken with the government of Great Britain for the settlement of our neutral and national rights, and of the conditions of commercial intercourse with that nation, had resulted in articles of a treaty which could not be acceded to on our part ; that instructions had consequently been sent to our ministers there to resume the negotiations, and to endeavor to obtain certain alteration ; and that this was interrupted by the transaction which took place between the frigates Leopard and Chesapeake. To call on that government for reparation of this wrong produced, as Congress have already been informed, the mission of a special minister to this country, and the occasion is now arrived when the public interest permits and requires that the whole of these proceedings should be made known to you.

I therefore now communicate the instructions given to our minister resident at London, and his communications to that government on the subject of the Chesapeake, with the correspondence which has taken place here between the Secretary of State and Mr. Rose, the special minister charged with the adjustment of that difference ; the instructions to our ministers for the formation of a treaty ; their correspondence with the British commissioners and with their own government on that subject ; the treaty itself, and written declaration of the British commissioners accompanying it, and the instructions given by us for resuming the negotiations, with the proceedings and correspondence subsequent thereto. To these I have added a letter lately addressed to the Secretary of State from one of our late ministers, which, though not strictly written in an official character, I think it my duty to communicate, in order that his views of the proposed treaty and its several articles may be fairly presented and understood.

Although I have heretofore and from time to time made such communications to Congress as to keep them possessed of a general and just view of the proceedings and dispositions of the

government of France toward this country, yet, in our present critical situation, when we find no conduct on our part, however impartial and friendly, has been sufficient to insure from either belligerent a just respect for our rights, I am desirous that nothing shall be omitted on my part which may add to your information on this subject, or contribute to the correctness of the views which should be formed. The papers which for these reasons I now lay before you embrace all the communications, official or verbal, from the French government, respecting the general relations between the two countries which have been transmitted through our minister there, or through any other accredited channel, since the last session of Congress, to which time all information of the same kind had from time to time been given them. Some of these papers have already been submitted to Congress; but it is thought better to offer them again, in order that the chain of communications, of which they make a part, may be presented unbroken.

When, on the 26th of February, I communicated to both houses the letter of General Armstrong to M. Champagny, I desired it might not be published, because of the tendency of that practice to restrain injuriously the freedom of our foreign correspondence. But perceiving that this caution, proceeding purely from a regard for the public good, has furnished occasion for disseminating unfounded suspicions and insinuations, I am induced to believe that the good which will now result from its publication, by confirming the confidence and union of our fellow citizens, will more than countervail the ordinary objection to such publications. It is my wish, therefore, that it may be now published.

MESSAGE ON PUBLIC DEFENCE.[1]

[Mar. ? 1808.]

In proceeding to carry into exn the act &c. it is found that the sites most advantageous for the defense of our harbors and rivers, and sometimes the only sites competent to that defense are in

[1] *Madison's Paragraph.*

"Incapable of giving a valid consent to their alienation, in others belong to persons who may refuse altogether to alienate, or demand a compensation far

some cases the property of minors incapable of giving a valid consent to their alienation, in others belong to persons who on no terms will alienate, and in others the proprietors demand such exaggerated compensn as, however liberally the public ought to compensate in such cases, would exceed all bounds of justice or liberality. From this cause the defense of our seaboard, so necessary to be pressed during the present season will in various parts be defeated, unless the national legislature can apply a constitutional remedy. The power of repelg invasions, and making laws necessary for carrying that power into execution seems to include that of occupyg those sites which are necessary to repel an enemy; observing only the amendment to the constitution which provides that private property shall not be taken for public use without just compensation. I submit therefore to the consideration of Congress, where the necessary sites cannot be obtained by the joint & valid consent of parties, whether provision should be made by a process of ad quod damnum, or any other more eligible means for authorizing the sites which are necessary for the public defence to be appropriated to that purpose.

I am aware that as the consent of the legislature of the state to the purchase of the site may not, in some instances have been previously obtained, exclusive legislation cannot be exercised therein by Congress until that consent is given. But in the meantime it will be held under the same laws which protect the property of individuals in that state and other property of the U. S. and the legislatures at their next meetings will have opportunities of doing what will be so evidently called for by the interest of their own state.

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beyond the liberal justice allowable in such cases. From these causes the defence of our seaboard, so necessary to be pressed during the present season, will in various parts be defeated, unless a remedy can be applied. With a view to this I submit the case to the consideration of Congress, who estimating its importance & reviewing the powers vested in them by the constitution combined with the amendment providing that private property shall not be taken for public use, without just compensation, will decide on the course most proper to be pursued.

"I am aware &c.

"(For consideration) As the constitutionality will be much agitated, it is doubted whether a precise opinion on that or the legal process be eligible."

Indorsed "Dept. of State recd Mar. 24 08 Message for Sites."

UNIVERSITY OF CALIFORNIA

TO THE SECRETARY OF THE TREASURY. J. MSS.

(ALBERT GALLATIN.)

Mar 31, 08.

If, on considering the doubts I shall suggest, you shall still think your draught of a supplementary embargo law sufficient, in its present form, I shall be satisfied it is so, for I have but one hour in the morning in which I am capable of thinking, and that is too much crowded with business to give me time to think.[1]

[1] The following is the Jefferson draught alluded to above, together with the most important letters concerning the matter. The whole correspondence is given in Adams's *Writings of Gallatin*:

March 30, 1808.

A bill supplementary to the several Acts for laying an embargo on vessels, &c.

For vessels coming down rivers, &c.—Be it enacted, &c., that it shall not be lawful for any vessel laden with provisions or lumber to pass by or depart from any port of entry of the United States without examination and a special license from the collector of the customs of such port; nor shall any vessel be so laden on any part of the coasts or shores of the United States without the limits of any port of entry until previously examined by some person authorized by the nearest collector of the customs, and a special license from the said collector to be so laden, and to depart according to her lawful destination, on pain of incurring the same penalties and forfeitures as if the said lading had been exported contrary to the tenor of the Acts for laying on embargo, &c. And it shall be lawful for all officers of the revenue and of the armed vessels of the United States to bring to and examine all vessels suspected to be laden with provisions or lumber, and to have departed, or to be about to depart, without having obtained such license, and on examination and probable grounds to seize and place the same under a due course of legal inquiry.

For Passamaquoddy and St. Mary's, and the secret coves and inlets of the coast.—And it be further enacted, &c., that wheresoever, in any port or on the coasts or shores of the United States elsewhere, a collection of provisions or of lumber shall be made or making which is suspected to be intended for exportation contrary to the provisions of the said laws for laying an embargo, it shall be lawful for the collector of the same port, or of the nearest port, by any agent to be appointed by him, to have the same deposited, if provisions, in warehouses to be approved by him, and to be duly secured by lock, the key of which shall remain with such agent; or if lumber, then to be placed under a sufficient guard by day and night, the expense of which shall be paid by the owner of such lumber, or be levied by sale of a sufficient part thereof; and not to permit the said provisions or lumber to be removed but to such other places, and on such conditions, as shall in his judgment sufficiently guard their being exported contrary

1. Is not the first paragraph against the Constitution, which says no preference shall be given to the ports of one State over those of another? You might put down those ports as ports of entry, if that could be made to do.

2. Could not your 2d paragraph be made to answer by making it say that no clearance shall be furnished to any vessel laden with *provisions* or *lumber*, to go from one port to another of the U S, without special permission, &c. In that case we might lay down

to the provisions of the said Acts. And the said collectors and agents shall in all cases within the purview of this Act be governed by such regulations as shall be prescribed by the Secretary of the Treasury, with the approbation of the President of the United States, in all matters of detail necessary for preventing the evasion of this law and for carrying the same into effectual execution.

TH. J. TO A. G.:

The above is a very imperfect sketch (for I am not in a condition to think attentively) of what your better knowledge of the subject will enable you [to] prepare for preventing the evasions of the law at Passamaquoddy, St. Mary's, and everywhere else as to provisions and lumber. If you will prepare something on these or any other ideas you like better, Mr. Eppes will give them to Mr. Newton (or you can endorse them to him yourself), and he will push them through the House. Affectionate salutations.

April 2, 1808.

On the amendments of the embargo laws I am perfectly satisfied with whatever you have concluded on after consideration of the subject. My view was only to suggest for your consideration, having not at all made myself acquainted with the details of that law. I therefore return you your bill, and wish it to be proposed. I will this day nominate Elmer. The delegates of North Carolina expect daily to receive information on the subject of a marshal. Is the register's office at New Orleans vacant? Claiborne says it is, and strongly recommends Robertson, the secretary. He will be found one of the most valuable men we have brought into the public service, for integrity, talents, and amiability. Affectionate salutations.

October 25, 1808.

* * * Would it not be well to have a bill ready for Congress on the defects which experience has developed in the embargo laws? Mandamus. The discretion of the collector expressly subjected to instructions from hence. To seize all suspected deposits. Bonds to be equal to what the cargoes would sell for in the highest foreign market, &c. Such other amendments as have occurred to you. The passing the law at their meeting would have a good effect in Europe, and would not pledge themselves to a continuance. Affectionate salutations.

rules for the necessary removal of provisions and lumber, inland, which should give no trouble to the citizens, but refuse licenses for all coasting transportation of those articles but on such applications from a Governor as may ensure us against any exportation but for the consumption of his State. Portsmouth, Boston, Charleston, & Savannah, are the only ports which cannot be supplied inland. I should like to prohibit *collections*, also, made evidently for clandestine importation.

3. I would rather strike out the words "in conformity with treaty" in order to avoid any express recognition at this day of that article of the British treaty. It has been so flagrantly abused to excite the Indians to war against us, that I should have no hesitation in declaring it null, as soon as we see means of supplying the Indians ourselves.

I should have no objections to extend the exception to the Indian furs purchased by our traders & sent into Canada. Affectionate salutns.

TO CORNELIA JEFFERSON RANDOLPH[1]

WASHINGTON, April 3, '08.

MY DEAR CORNELIA,—I have owed you a letter two months, but have had nothing to write about, till last night I found in a newspaper the four lines which I now inclose to you: and as you are learning to write, they would be a good lesson to convince you of the importance of minding your stops in writing. I allow you a day to find out yourself how to read these lines, so far as to make them true. If you cannot do it in that time, you may call in assistance. At the same time, I will give you four other lines, which I learnt when I was but a little older than you, and I still remember.

[1] Daughter of Thomas Mann, and Martha (Jefferson) Randolph. She afterwards married Nicholas Phillips Trist.

From Randall's *Life of Jefferson*, III., 634.

" I 've seen the sea all in a blaze of fire
I 've seen a house high as the moon and higher
I 've seen the sun at twelve o'clock at night
I 've seen the man who saw this wondrous sight.

All this is true whatever you may think of it at first reading. I mentioned in my letter of last week to Ellen, that I was under an attack of periodical headache. This is the 10th day. It has been very moderate, and yesterday did not last more than three hours. Tell your mamma that I fear I shall not get away as soon as I expected. Congress has spent the last five days without employing a single hour in the business necessary to be finished. Kiss her for me, and all the sisterhood. To Jefferson I give my hand, to your papa my affectionate salutations. You have always my love.

TH. JEFFERSON.

P.S.—April 5. I have kept my letter open till to-day, and am able to say now, that my headache for the last two days has been scarcely sensible.[1]

[1] Jefferson later wrote to her :

WASHINGTON, Dec. 26, '08.

I congratulate you, my dear Cornelia, on having acquired the valuable art of writing. How delightful to be enabled by it to converse with an absent friend, as if present! To this we are indebted for all our reading; because it must be written before we can read it. To this we are indebted for the Iliad, the Ænead, the Columbiad, Henriad, Dunciad, and now for the most glorious poem of all, the Terrapiniad, which I now enclose to you. This sublime poem consigns to everlasting fame the greatest achievement in war ever known to ancient or modern times; in the battle of David and Goliath, the disparity between the combatants was nothing in comparison to our case. I rejoice that you have learnt to write, for another reason; for as that is done with a goose-quill, you now know the value of a goose and of course you will assist Ellen in taking care of the half-dozen very fine grey geese which I shall send by Davy. But as I do this, I must refer to your mamma to decide whether they will be safest at Edgehill or at Monticello till I return home, and to give orders ac-

TO THE ATTORNEY GENERAL OF THE U. S.[1]

(CÆSER RODNEY.)

April 24, 1808.

Th. Jefferson returns the endorsed to Mr. Rodney with thanks for the communication. It is very evident that our embargo, added to the exclusions from the continent will be most easily felt in England and Ireland. Liverpool is remonstrating & endeavoring to get the other ports into motion. Yet the bill confirming the orders of Council is ordered to a 3d reading, which shews it will pass. Congress has just passed an additional embargo law, on which if we act as boldly as I am disposed to do, we can make it effectual. I think the material parts of the enclosed should be published. It will show our people that while the embargo gives no double rations it is starving our enemies. This six months session has drawn me down to a state of almost total incapacity for business. Congress will certainly rise tomorrow night, and I shall leave this for Monticello on the 5th of May to be here again on the 8th of June.

I salute you with constant affection & respect

TO THE U. S. MINISTER OF FRANCE, J.MSS.

(JOHN ARMSTRONG.)

WASHINGTON, May 2, 08.

DEAR GENERAL,—A safe conveyance offering by a special messenger to Paris, I avail myself of it to bring up my arrears to my foreign correspondents. I give them the protection of your cover, but to save the trouble of your attention to their distribution, I give them an inner cover to Mr. Warden, whose attentions heretofore have encouraged me to ask this favor of him.

cordingly. I received letters a few days ago from Mr. Bankhead and Anne. They are well. I had expected a visit from Jefferson at Christmas, had there been a sufficient intermission in his lectures. But I suppose there was not, as he is not come. Remember me affectionately to your papa and mamma, and kiss Ellen and all the children for me.

P.S. Since writing the above, I have a letter from Mr. Peale informing me that Jefferson is well, and saying the best things of him.

[1] From a copy courteously furnished by Mr. John Boyd Thacher, of Albany, N. Y.

But should he not be with you, I must pray you to open my packages to him, & have them distributed, as it is of importance that some of them should be delivered without delay. I shall say nothing to you on the subject of our foreign relations, because you will get what is official on that subject from Mr. Madison.

During the present paroxysm of the insanity of Europe, we have thought it wisest to break off all intercourse with her. We shall, in the course of this year, have all our seaports, of any note, put into a state of defence against naval attack. Against great land armies we cannot attempt it but by equal armies. For these we must depend on a classified militia, which will give us the service of the class from 20 to 26, in the nature of conscripts, composing a body of about 250,000, to be specially trained. This measure, attempted at a former session. was pressed at the last, and might, I think, have been carried by a small majority. But considering that great innovations should not be forced on a slender majority, and seeing that the general opinion is sensibly rallying to it, it was thought better to let it lie over to the next session, when, I trust, it will be passed. Another measure has now twice failed, which I have warmly urged, the immediate settlement by donation of lands, of such a body of militia in the territories of Orleans & Mississippi, as will be adequate to the defence of New Orleans. We are raising some regulars in addition to our present force, for garrisoning our seaports, & forming a nucleus for the militia to gather to. There will be no question who is to be my successor. Of this be assured, whatever may be said by newspapers and private correspondences. Local considerations have been silenced by those dictated by the continued difficulties of the times. One word of friendly request: be more frequent & full in your communications with us. I salute you with great friendship and respect.

TO GENERAL BENJAMIN SMITH. J. MSS.

MONTICELLO, May 20, 08.

SIR,—I return you my thanks for the communication by your letter of Apr 19, of the resolutions of the Grand jury of Brunswick, approving of the embargo. Could the alternative of war

or the embargo have been presented to the whole nation, as it occurred to their representatives, there could have been but the one opinion that it was better to take the chance of one year by the embargo, within which the orders & decrees producing it may be repealed, or peace take place in Europe, which may secure peace to us. How long the continuance of the embargo may be preferable to war, is a question we shall have to meet, if the decrees & orders & war continues. I am sorry that in some places, chiefly on our northern frontier, a disposition even to oppose the law by force has been manifested. In no country on earth is this so impracticable as in one where every man feels a vital interest in maintaining the authority of the laws, and instantly engages in it as in his own personal cause. Accordingly, we have experienced this spontaneous aid of our good citizens in the neighborhoods where there has been occasion, as I am persuaded we ever shall on such occasions. Through the body of our country generally our citizens appear heartily to approve & support the embargo. I am also to thank you for the communication of the Wilmington proceedings, and I add my salutations & assurances of great respect.

TO THE SECRETARY OF STATE. J. MSS.

(JAMES MADISON.)

MONTICELLO, May 24, 08.

DEAR SIR,— * * * What has been already said on the subject of Casa Calvo, Yrujo, Miranda, is sufficient, and that these should be seriously brought up again argues extreme weakness in Cavallos, or a plan to keep things unsettled with us. But I think it would not be amiss to take him down from his high airs as to the right of the sovereign to hinder the upper inhabitants from the use of the Mobile, by observing, 1, that we claim to be the sovereign, although we give time for discussion. But 2, that the upper inhabitants of a navigable water have always a right of innocent passage along it. I think Cavallos will not probably be the minister when the letter arrives at Madrid, and that an eye to that circumstance may perhaps have some proper influence on the style of the letter, in which, if meant for himself, his hyperbolic airs might merit less respect. I think too that the truth as

to Pike's mission might be so simply stated as to need no argument to show that (even during the suspension of our claims to the eastern border of the Rio Norte) his getting on it was mere error, which ought to have called for the setting him right, instead of forcing him through the interior country.

Sullivan's letter. His view of things for some time past has been entirely distempered. * * *

TO DOCTOR THOMAS LEIB. J. MSS.

WASHINGTON, June 23, 08.

SIR,—I have duly received your favor covering a copy of the talk to the Tammany society, for which I thank you, and particularly for the favorable sentiments expressed towards myself. Certainly, nothing will so much sweeten the tranquillity and comfort of retirement, as the knoledge that I carry with me the good will & approbation of my republican fellow citizens, and especially of the individuals in unison with whom I have so long acted. With respect to the federalists, I believe we think alike; for when speaking of them, we never mean to include a worthy portion of our fellow citizens, who consider themselves as in duty bound to support the constituted authorities of every branch, and to reserve their opposition to the period of election. These having acquired the appellation of federalists, while a federal administration was in place, have not cared about throwing off their name, but adhering to their principle, are the supporters of the present order of things. The other branch of the federalists, those who are so in principle as well as in name, disapprove of the republican principles & features of our Constitution, and would, I believe, welcome any public calamity (war with England excepted) which might lessen the confidence of our country in those principles & forms. I have generally considered them rather as subjects for a mad-house. But they are now playing a game of the most mischevious tendency, without perhaps being themselves aware of it. They are endeavoring to convince England that we suffer more by the embargo than they do, & that if they will but hold out awhile, we must abandon it. It is true, the time will come

when we must abandon it. But if this is before the repeal of the orders of council, we must abandon it only for a state of war. The day is not distant, when that will be preferable to a longer continuance of the embargo. But we can never remove that, & let our vessels go out & be taken under these orders, without making reprisal. Yet this is the very state of things which these federal monarchists are endeavoring to bring about; and in this it is but too possible they may succeed. But the fact is, that if we have war with England, it will be solely produced by their manœuvres. I think that in two or three months we shall know what will be the issue.

I salute you with esteem & respect.

TO GENERAL JAMES WILKINSON. J. MSS.

June 24. 08.

Thomas Jefferson presents his compliments to Genl Wilkinson, and in answer to his letters of yesterday observes that during the course of the Burr conspiracy, the voluminous communications he received were generally read but once & then committed to the Attorney General, and were never returned to him. It is not in his power, therefore, to say that General Wilkinson did or did not denounce eminent persons to him, & still less who they were. It was unavoidable that he should from time to time mention persons known or supposed to be accomplices of Burr, and it is recollected that some of these suspicions were corrected afterwards on better information. Whether the undefined term *denunciation* goes to cases of this kind or not Th J does not know, nor could he now name from recollection the persons suspected at different times. He salutes General Wilkinson respectfully.

TO THOMAS MANN RANDOLPH. J.MSS.

WASHINGTON, June 28th, 08.

DEAR SIR,—I enclose you a mercantile advertiser for the sake of the extraordinary fabrication in it's Postscript by an arrival from Cork with London

dates to the 9th of May. The arrival of the Osage in England (which had been detained in France by Armstrong himself) furnishes the occasion of amusing that nation with the forgeries of fact which I have included in an inked line on the margin, within which line every word is false. Yet this lie will run through all the papers. Few readers will think of asking themselves how this London (or Cork) printer should know all the particulars he states, & for which he quotes no authority. The fact is that there never has been a proposition or intimation to us from France to join them in the war, unless Champagny's letter be so considered: nor has there ever been the slightest disrespect to Armstrong, as far as we have a right to conclude from his silence and from that of Turreau. So from England we have in like manner had no such intimation except in Holland & Auckland's note subjoined to the treaty. We have nothing from Armstrong or Pinckney. Indeed we can have nothing interesting from France while the Emperor is absent. I continue to send you the Public Advertiser & citizen of N. Y. while their fire is kept up on the presidential election. The papers of the other states are almost entirely silent on the subject. It seems understood that De Witt Clinton sinks with his tool Cheetham. We have proof on the oath of a credible man that he set Burr on board the last British packet in the evening of her departure. He was disguised in a sailor's habit, as were two other gentlemen unknown to the person, but one of whom Burr called *Ogden* at taking leave. He was met at N.

York by Mrs. Alston, whose child babbled out in his play with another that 'Grandpapa was come.'

I charged Bacon very strictly to keep the water of the canal always running over the waste, as Shoemaker has made the want of water the ground of insisting on a suspension of rent, and will probably continue to do it. Present my tender love to Martha & the family and be assured yourself of my affectionate attachment & respect.

TO MERIWETHER LEWIS. J. MSS.

WASHINGTON, July 17, 08.

DEAR SIR,—Since I parted with you in Albemarle in Sep. last, I have never had a line from you, nor I believe has the Secretary at War with whom you have much connection through the Indian department. The misfortune which attended the effort to send the Mandane chief home, became known to us before you had reached St. Louis. We took no step on the occasion, counting on receiving your advice so soon as you should be in place, and knowing that your knoledge of the whole subject & presence on the spot would enable you to judge better than we could what ought to be done. The constant persuasion that something from you must be on it's way to us, has as constantly prevented our writing to you on the subject. The present letter, however, is written to put an end at length to this mutual silence, and to ask from you a communication of what you think best to be done to get the chief & his family back. We consider the good faith, and the reputation of the nation, as pledged to accomplish this. We would wish indeed not to be obliged to undertake any considerable military expedition in the present uncertain state of our foreign concerns & especially not till the new body of troops shall be raised. But if it can be effected in any other way & at any reasonable expense, we are disposed to meet it.

A powerful company is at length forming for taking up the

Indian commerce on a large scale. They will employ a capital the first year of 300,000 D. and raise it afterwards to a million. The English Mackinac company will probably withdraw from the competition. It will be under the direction of a most excellent man, a Mr. Astor, merch't of New York, long engaged in the business, & perfectly master of it. He has some hope of seeing you at St. Louis, in which case I recommend him to your particular attention. Nothing but the exclusive possession of the Indian commerce can secure us their peace.

Our foreign affairs do not seem to clear up at all. Should they continue as at present, the moment will come when it will be a question for the Legislature whether war will not be preferable to a longer continuance of the embargo.

The Presidential question is clearing up daily, and the opposition subsiding. It is very possible that the suffrage of the nation may be undivided. But with this question it is my duty not to intermeddle. I have not lately heard of your friends in Albemarle. They were well when I left that in June, and not hearing otherwise affords presumptions they are well. But I presume you hear that from themselves, We have no tidings yet of the forwardness of your printer. I hope the first part will not be delayed much longer. Wishing you every blessing of life & health, I salute you with constant affection & respect.

TO JOHN LANGDON. J. MSS.

MONTICELLO, Aug. 2, 08.

Private:

MY DEAR SIR,—The inclosed are formal, and for the public; but in sending them to you, I cannot omit the occasion of indulging my friendship in a more familiar way, & of recalling myself to your recollection. How much have I wished to have had you still with us through the years of my emploiment at Washington. I have seen with great pleasure the moderation & circumspection with which you have been kind

enough to act under my letter of May 6, and I have been highly gratified with the late general expressions of public sentiment in favor of a measure which alone could have saved us from immediate war, & give time to call home 80 millions of property, 20, or 30,000 seamen, & 2,000 vessels. These are now nearly at home, & furnish a great capital, much of which will go into manufactures and seamen to man a fleet of privateers, whenever our citizens shall prefer war to a longer continuance of the embargo. Perhaps however the whale of the ocean may be tired of the solitude it has made on that element, and return to honest principles; and his brother robber on the land may see that, as to us, the grapes are sour. I think one war enough for the life of one man: and you and I have gone through one which at least may lessen our impatience to embark in another. Still, if it becomes necessary we must meet it like men, old men indeed, but yet good for something. But whether in peace or war, may you have as many years of life as you desire, with health & prosperity to make them happy years. I salute you with constant affection & great esteem & respect.

TO THE SECRETARY AT WAR. J. MSS.
(HENRY DEARBORN.)

MONTICELLO, August 9, 08.

DEAR SIR,—Yours of July 27th is received. It confirms the accounts we receive from others that the infractions of the embargo in Maine & Massachusetts are open. I have removed Pope, of New Bedford, for worse than negligence. The collector of Sullivan is on the totter. The tories of Boston openly

threaten insurrection if their importation of flour is stopped. The next post will stop it. I fear your Governor is not up to the tone of these parricides, and I hope, on the first symptom of an open opposition to the laws by force, you will fly to the scene and aid in suppressing any commotion. * * *

TO THE SECRETARY OF THE TREASURY. J. MSS.
(ALBERT GALLATIN.)

MONTICELLO, August 11, 08.

DEAR SIR,—Your letters of July 29th and Aug. 5th, came to hand yesterday, and I now return you those of Waynne, Wolsey, Quincy, Otis, Lincoln, & Dearborne. This embargo law is certainly the most embarrassing one we have ever had to execute. I did not expect a crop of so sudden & rank growth of fraud & open opposition by force could have grown up in the U. S. I am satisfied with you that if orders & decrees are not repealed, and a continuance of the embargo is preferred to war, (which sentiment is universal here), Congress must legalize all *means* which may be necessary to obtain it's *end.* Mr. Smith, in enclosing to me General Dearborne's & Lincoln's letters, informs me that immediately on receiving them he gave the necessary orders to the Chesapeake, the Wasp, & Argus. Still I shall pass this letter and those it encloses, through his hands for information. I am clearly of opinion this law ought to be enforced at any expense, *which may not exceed our appropriation.* I approve of the instructions to General Lincoln, for selling the revenue cutter there & buying another, and also of what you propose at New London & Portsmouth, and generally I wish you to do as to the revenue cutters what you shall think best, without delaying it to hear from me. You possess the details so much better than I do, and are so much nearer the principal scenes, that my approbation can be but matter of form. As to ordering out militia, you know the difficulty without another proclamation. I advise Mr. Madison to inform General Turreau that the vessels we allow to the foreign ministers are only in the character of transports, & that they cannot be allowed but where the number of persons bears the

proportion to the vessel which is usual with transports. You will see by my last that on learning the situation of affairs in Spain, it had occurred to me that it might produce a favorable occasion of doing ourselves justice in the south. We must certainly so dispose of our southern recruits & armed vessels as to be ready for the occasion. A letter of June 5 from Mr. Pinckney says nothing more than that in a few days he was to have a full conference on our affairs with Mr. Canning. That will doubtless produce us immediately an interesting letter from him. I salute you affectionately.

P. S. I this day direct a commission for General Steele, vice General Shee, dec'd.

TO THE SECRETARY AT WAR. J. MSS.

MONTICELLO, Aug. 12, 08.

DEAR SIR,—Yours of July 27 has been received. I now enclose you the letters of Hawkins, Harrison, Wells, Hull, & Claiborne, received from the war office, and as I conjecture, not yet seen by you. Indian appearances, both in the northwest & south, are well. Beyond the Mississippi they are not so favorable. I fear Governor Lewis has been too prompt in committing us with the Osages so far as to oblige us to go on. But it is astonishing we get not one word from him. I enclose you letters of Mr. Griff & Maclure, which will explain themselves. A letter of June 5 from Mr. Pinckney, informs us he was to have a free conference with Canning in a few days. Should England make up with us, while Bonaparte continues at war with Spain, a moment may occur when we may without danger of commitment with either France or England seize to our own limits of Louisiana as of right, & the residue of the Floridas as reprisal for spoliations. It is our duty to have an eye to this in rendezvousing & stationing our new recruits & our armed vessels, so as to be ready, if Congress authorizes it, to strike in a moment. I wish you to consider this matter in the orders to the southern recruits, as I have also recommended to the Secretary of the Navy, as to the armed vessels in the South. Indeed, I would ask your opinion as to the positions

we had better take with a view to this with our armed vessels as well as troops. The force in the neighborhood of Baton Rouge is enough for that. Mobile, Pensacola & St. Augustine, are those we should be preparing for. The enforcing the embargo would furnish a pretext for taking the nearest healthy position to St. Mary's, and on the waters of Tombigbee. I salute you with affection & respect.

TO THE SECRETARY OF STATE. J. MSS.

(JAMES MADISON.)

MONTICELLO, Aug 12, 08.

DEAR SIR,—Yours of the 10th came to hand yesterday, & I return you Foronda's, Tuft's, Soderstrom's, & Turreau's letters. I think it is become necessary to let Turreau understand explicitly that the vessels we permit foreign ministers to send away are merely transports, for the conveyance of such of their subjects as were here at the time of the embargo; that the numbers must be proportioned to the vessels, as is usual with transports; and that all who meant to go away must be presumed to have gone before now,—at any rate, that none will be accommodated after the present vessel. We never can allow one belligerent to buy & fit out vessels here, to be manned with his own people, & probably act against the other. You did not return my answer to Sullivan. But fortunately I have received another letter, which will enable me to give the matter an easier turn, & let it down more softly. Should the conference announced in Mr. Pinckney's letter of June 5, settle friendship between England & us, & Bonaparte continue at war with Spain, a moment may occur favorable, without compromitting us with either France or England, for seizing our own from the Rio Bravo to Perdido, as of right, & the residue of Florida, as a reprisal for spoliations. I have thought it proper to suggest this possibility to Genl Dearborne & Mr. Smith, & to recommend an eye to it in their rendezvousing & stationing the new southern recruits & gun-boats, so that we may strike in a moment when Congress says so. I have appointed Genl Steele successor to Shee. Mr. & Mrs. Barlow, & Mrs. Blagden, will be here about the 25th. May we hope

to see Mrs. Madison & yourself then, or when? I shall go to Bedford about the 10th of September. I salute you with constant affection & respect.

TO THE GOVERNOR OF MASSACHUSETTS. J. MSS.
(JAMES SULLIVAN.)

MONTICELLO, Aug 12, 08.

SIR,—Your letter of July 21 has been received some days; that of July 23 not till yesterday. Some accident had probably detained it on the road considerably beyond its regular passage. In the former you mention that you had thought it advisable to continue issuing certificates for the importation of flour, until you could hear further from me; and in the latter, that you will be called from the Capital in the fall months, after which it is your desire that the power of issuing certificates may be given to some other, if it is to be continued.

In mine of July 16th I had stated that, during the two months preceding that, your certificates, received at the Treasury, amounted, if I rightly recollect, to about 60,000 barrels of flour, & a proportionable quantity of corn. If this whole quantity had been *bonâ fide* landed & retained in Massachusetts, I deemed it certain there could not be a real want for a considerable time, &, therefore, desired the issues of certificates might be discontinued. If, on the other hand, a part has been carried to foreign markets, it proves the necessity of restricting reasonably this avenue to abuse. This is my sole object, and not that a real want of a single individual should be one day unsupplied. In this I am certain we shall have the concurrence of all the good citizens of Massachusetts, who are too patriotic and too just to desire, by calling for what is superfluous, to open a door for the frauds of unprincipled individuals who, trampling on the laws, and forcing a commerce shut to all others, are enriching themselves on the sacrifices of their honester fellow citizens;—sacrifices to which these are generally & willingly submitting, as equally necessary whether to avoid or prepare for war.

Still further, however, to secure the State against all danger of want, I will request you to continue issuing certificates, in the

moderate way proposed in your letter, until your departure from the Capital, as before stated, when I will consider it as discontinued, or make another appointment if necessary. There is less risk of inconvenience in this, as, by a letter from the Secretary of the Treasury, of May 20th, the collectors were advised not to detain any vessel, the articles of whose lading were so proportioned as to give no cause of suspicion that they were destined for a foreign market. This mode of supply alone seems to have been sufficient for the other importing States, if we may judge from the little use they have made of the permission to issue certificates.

Should these reasonable precautions be followed, as is surmised in your letter of July 21, by an artificial scarcity, with a view to promote turbulence of any sort or on any pretext, I trust for an ample security against this danger to the character of my fellow citizens of Massachusetts, which has, I think, been emphatically marked by obedience to law, & a love of order. And I have no doubt that whilst we do our duty, they will support us in it. The laws enacted by the general government, will have made it our duty to have the embargo strictly observed, for the general good; & we are sworn to execute the laws. If clamor ensue, it will be from the few only, who will clamor whatever we do. I shall be happy to receive the estimate promised by your Excellency, as it may assist to guide us in the cautions we may find necessary. And here I will beg leave to recall your attention to a mere error of arithmetic in your letter of July 23. The quantity of flour requisite on the date there given, would be between thirteen & fourteen thousand barrels per month. I beg you to accept my salutations, & assurances of high respect & consideration.

TO THE EMPEROR OF RUSSIA.

J. MSS.

UNITED STATES, Aug. 29, 1808.

GREAT AND GOOD FRIEND AND EMPEROR,—Desirous of promoting useful intercourse & good understanding between your majesty's subjects & the citizens of the U S, and especially to cultivate the friendship of Y. M., I have appointed William Short,

one of our distinguished citizens, to be in quality of Minister Plenipo. of the U S, the bearer to you of assurances of their sincere friendship, and of their desire to maintain with Y. M. & your subjects the strictest relations of amity & commerce: He will explain to Y. M. the peculiar position of these States, separated by a wide ocean from the powers of Europe, with interests and pursuits distinct from theirs, and consequently without the motives or the aptitudes for taking part in the associations or oppositions which a different system of interests produces among them; he is charged to assure Y.M. more particularly of our purpose to observe a faithful neutrality towards the contending powers, in the war to which your majesty is a party, rendering to all the services & courtesies of friendship, and praying for the re-establishment of peace & right among them; and we entertain an entire confidence that this just & faithful conduct on the part of the U S will strengthen the friendly dispositions you have manifested towards them, and be a fresh motive with so just & magnanimous a sovereign to enforce, by the high influence of your example, the respect due to the character & the rights of a peaceable nation. I beseech you, great and good friend & emperor, to give entire credence to whatever he shall say to you on the part of these States, & most of all when he shall assure you of their cordial esteem & respect for Y. M's. person & character, praying God always to have you in his safe & holy keeping.[1]

[1] On the subject of this mission Jefferson wrote to the Secretary of the Treasury:

MONTICELLO, Aug. 30, 08.

DEAR SIR,— . . . Mr. Madison & myself on repeated consultations, (and some of the other members of the executive expressed the same opinion before they left Washington,) have concluded that the mission to Petersburgh should not be delayed. Being special, and not permanent, the waiting the meeting of the Senate is less important &, if we waited that it could not go till spring, and we know not what this summer & the ensuing winter may produce. We think secrecy also important, & that the mission should be as little known as possible, till it is in Petersburgh, which could not be, if known to the Senate. Mr. Short goes therefore in the aviso from Philadelphia, to be engaged for Sept. 15. He is peculiarly distressed by sickness at sea, & of course more so the smaller the vessel. I think, therefore, the occasion justifies the enlargement of our vessel somewhat beyond what might be necessary for a mere aviso. The

TO THE SECRETARY OF STATE. J. MSS.

(JAMES MADISON.)

MONTICELLO, Sept. 6, 08.

DEAR SIR,—I return you Pinckney's letter, the complexion of which I like. If they repeal their orders, we must repeal our embargo. If they make satisfaction for the Chesapeake, we must revoke our proclamation, and generalize its operation by a law. If they keep up impressments, we must adhere to non-intercourse, manufactures & a navigation act. I enclose for your perusal a letter of Mr. Short's. I inform him that any one of the persons he names would be approved, the government never recognizing a difference between the two parties of republicans in Pennsylvania. * * *

I do not think the anonymous rhapsody is Cheatham's. Tho' mere declamation, it is of too high an order for him. I think it quite in Gouv. Morris's dictorial manner. It's matter is miserable sophistry.

I salute you with constant affection.

TO THE SECRETARY OF STATE. J. MSS.

(JAMES MADISON.)

MONTICELLO, Sept. 13, 08.

DEAR SIR,—I send you a letter of Short's for perusal, & one of Edgar Patterson, asking what is already I presume provided for, and one of General Armstrong, which I do not well understand, because I do not recollect the particular letter which came by Haley. I presume the counsel he refers to is to take possession of the Floridas. This letter of June 15 is written after the cession by Carlos to Bonaparte of all his dominions, when he supposed England would at once pounce on the Floridas as a prey, or Bonaparte occupy it as a neighbor. His next will be written after the people of Spain will have annihilated the ces-

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season, too, by the time of her return, might render it desirable for safety which circumstance may be mentioned in your instructions to the collector, to prevent his suspicions of the real ground. I salute you with affection & respect.

sion, England become the protector of Florida, and Bonaparte without title or means to plant himself there as our neighbor.

Ought I to answer such a petition as that of Rowley? The people have a right to petition, but not to use that right to cover calumniating insinuations.

Turreau writes like Armstrong so much in the buskin, that he cannot give a naked fact in an intelligible form. I do not know what it is he asks for. If a transport or transports to convey sailors, there has been no refusal; and if any delay of answer, I presume it can be explained. If he wishes to buy vessels here, man them with French seamen, and send them elsewhere, the breach of neutrality would be in permitting, not in refusing it. But have we permitted this to England? His remedy is easy in every case. Repeal the decrees. I presume our Fredericksburg rider need not come after his next trip. I salute you affectionately.

TO ROBERT R. LIVINGSTON. J. MSS.

WASHINGTON, Oct. 15, 08.

SIR,—Your letter of Sept 22 waited here for my return, and it is not till now that I have been able to acknoledge it. The explanation of his principles given you by the French Emperor, in conversation, is correct as far as it goes. He does not wish us to go to war with England, knowing we have no ships to carry on that war. To submit to pay to England the tribute on our commerce which she demands by her orders of council, would be to aid her in the war against him, & would give him just ground to declare war with us. He concludes, therefore, as every rational man must, that the embargo, the only remaining alternative, was a wise measure. These are acknowledged principles, and should circumstances arise which may offer advantage to our country in

making them public, we shall avail ourselves of them. But as it is not usual nor agreeable to governments to bring their conversation before the public, I think it would be well to consider this on your part as confidential, leaving to the government to retain or make it public, as the general good may require. Had the Emperor gone further, and said that he condemned our vessels going voluntarily into his ports in breach of his municipal laws, we might have admitted it rigorously legal, tho' not friendly. But his condemnation of vessels taken on the high seas, by his privateers, & carried involuntarily into his ports, is justifiable by no law, is piracy, and this is the wrong we complain of against him.

Supposing that you may be still at Clermont, from whence your letter is dated, I avail myself of this circumstance to request your presenting my friendly respects to Chancellor Livingston. I salute you with esteem & respect.

TO DOCTOR JAMES BROWN.

WASHINGTON Oct. 27, 08.

DEAR SIR,—You will wonder that your letter of June 3 should not be acknoledged till this date. I never received it till Sep 12, and coming soon after to this place, the accumulation of business I found here has prevented my taking it up till now. That you ever participated in any plan for a division of the Union, I never for one moment believed. I knew your Americanism too well. But as the enterprise against Mexico was of a very different character, I had supposed what I heard on that subject to be possible. You disavow it; that is enough for me, and I forever dismiss the idea. I wish it were possible to extend my belief of innocence to a very different description of men in N O; but I think there is suffi-

cient evidence of there being there a set of foreign adventurers, & native mal-contents, who would concur in any enterprise to separate that country from this. I did wish to see these people get what they deserved ; and under the maxim of the law itself, that *inter arma silent leges*, that in an encampment expecting daily attack from a powerful enemy, self-preservation is paramount to all law, I expected that instead of invoking the forms of the law to cover traitors, all good citizens would have concurred in securing them. Should we have ever gained our Revolution, if we had bound our hands by manacles of the law, not only in the beginning, but in any part of the revolutionary conflict ? There are extreme cases where the laws become inadequate even to their own preservation, and where, the universal resource is a dictator, or martial law. Was N O., in that situation ? Altho' we knew here that the force destined against it was suppressed on the Ohio, yet we supposed this unknown at N O at the time that Burr's accomplices were calling in the aid of the law to enable them to perpetrate its suppression, and that it was reasonable according to the state of information there, to act on the expectation of a daily attack. Of this you are the best judge.

Burr is in London, and is giving out to his friends that that government offers him 2. millions of dollars the moment he can raise an ensign of rebellion as big as a handkerchief. Some of his partisans will believe this, because they wish it. But those who know him best will not believe it the more because he says it. For myself, even in his most flattering periods of the conspiracy, I never entertained one moment's fear. My long & intimate knowledge of my countrymen, satisfied & satisfies me, that let there ever be occasion to display the banners of the law, & the world will see how few & pitiful are those who shall array themselves in opposition. I as little fear foreign invasion. I have indeed thought it a duty to be prepared to meet even the most powerful, that of a Bonaparte, for instance, by the only means competent, that of a classification of the militia, & placing the junior classes at the public disposal ; but the lesson he receives in Spain extirpates all apprehensions from my mind. If, in a peninsula, the neck of which is adjacent to him and at his command, where he can march any army without the possibility

of interception or obstruction from any foreign power, he finds it necessary to begin with an army of 300.000 men, to subdue a nation of 5 millions, brutalized by ignorance, and enervated by long peace, and should find constant reinforcements of thousands after thousands, necessary to effect at last a conquest as doubtful as deprecated, what numbers would be necessary against 8 millions of free Americans, spread over such an extent of country as would wear him down by mere marching, by want of food, autumnal diseases, &c.? How would they be brought, and how reinforced across an ocean of 3000 miles, in possession of a bitter enemy, whose peace, like the repose of a dog, is never more than momentary? And for what? For nothing but hard blows. If the Orleanese Creoles would but contemplate these truths, they would cling to the American Union, soul & body, as their first affection, and we should be as safe there as we are everywhere else. I have no doubt of their attachment to us in preference of the English.

I salute you with sincere friendship & respect.

TO THE GOVERNOR OF LOUISIANA. J. MSS.

(WILLIAM CHARLES COLE CLAIBORNE.)

WASHINGTON, Oct. 29, 08.

SIR,—I send the enclosed letter under the benefit of your cover, & open, because I wish you to know it's contents. I thought the person to whom it is addressed a very good man when here,—he is certainly a very learned and able one. I thought him peculiarly qualified to be useful with you. But in the present state of my information, I can say no more than I have to him. When you shall have read the letter, be so good as to stick a wafer in it, & not let it be delivered till it is dry, that he may not know that any one but himself sees it. The Spanish paper you enclosed me is an atrocious one. I see it has been republished in the Havanna. The truth is that the patriots of Spain have no warmer friends than the administration of the U S, but it is our duty to say nothing & to do nothing for or against either. If they succeed, we shall be well satisfied to see

Cuba & Mexico remain in their present dependence; but very unwilling to see them in that of either France or England, politically or commercially. We consider their interests & ours as the same, and that the object of both must be to exclude all European influence from this hemisphere. We wish to avoid the necessity of going to war, till our revenue shall be entirely liberated from debt. Then it will suffice for war, without creating new debt or taxes. These are sentiments which I would wish you to express to any proper characters of either of these two countries, and particularly that we have nothing more at heart than their friendship. I salute you with great esteem and respect.

EIGHTH ANNUAL MESSAGE.[1]

November 8, 1808.

To the Senate and House of Representatives of the United States:—

It would have been a source, fellow citizens, of much gratification, if our last communications from Europe had enabled me to inform you that the belligerent nations, whose disregard of

[1] The following papers relate to this message:

"*Madison's Draft, Nov. 08.*

"(1) To exercise the authority in such manner as would withdraw the pretext on which the aggressions were originally founded, and open the way for a renewal of that commercial intercourse which it was alleged on all sides had been so reluctantly obstructed. As each of these govts had pledged its readiness to concur in renouncing a measure which reached its adversary through the incontestable rights of neutrals only, and as the measure had been assumed by each as a retaliation for an asserted acquiescence in the aggressions of the other, it was reasonably expected that the occasion would have been seized by both for evincing the sincerity of their professions & for restoring to the commerce of the U. S. its legitimate freedom. This course so clearly dictated by justice has been taken by neither. By France no answer has been given; nor is there any indication that a favorable change in her decrees is contemplated. To that govt instead of a pledge for suspending our embargo as to France whilst left in operation as to G. Britain, it was thought most consistent with the condition annexed to the authority vested in the executive, requiring a sufficient safety to our commerce, to hold out the obvious change resulting from such an act or justice by one belligerent, and refusal of it by another, in the relations between the U. S. & the latter. To G. B. whose power on the ocean is so ascendant it

neutral rights has been so destructive to our commerce, had become awakened to the duty and true policy of revoking their unrighteous edicts. That no means might be omitted to produce this salutary effect, I lost no time in availing myself of the act authorizing a suspension, in whole or in part, of the several embargo laws. Our ministers at London and Paris were instructed to explain to the respective governments there, our disposition to

was deemed not inconsistent with that condition to state explicitly, that on her rescinding her orders in relation to the U. S. their trade would be opened with her, and remain shut to her enemy, in case of his failure to rescind his decrees also. The unexceptionable nature of this proposition, seemed to insure its being received in the spirit in which it was made; and this was the less to be doubted, as the British orders in council had not only been referred for their vindication to an acquiescence on the part of the U. S. no longer to be pretended; but as the arrangement proposed, whilst it resisted the illegal decrees of France, involved moreover substantially, the precise advantages professedly aimed at by the B. orders. The arrangement has nevertheless been explicity rejected; the controverted fact being assumed that the enemy of G. B. was the original aggressor, and the extraordinary doctrine maintained, that, without regard to any just interpositions of the neutral, the aggressor not specifically affecting a revocation of his acts, the injured belligerent has a right to pursue his retaliations against the neutral, and is to be inferred from the practice without regard to the measure of injury sustained through the neutral.

"This candid and liberal experiment having thus failed, and no other event having occurred, on which a suspension of the embargo by the executive, was authorized it necessarily remains in the extent originally given to it. We have the satisfaction however to reflect, that in return for the privations imposed by the measure, and which our fellow citizens in general have borne with patriotism, it has had the important effects of saving our vast mercantile property and our mariners, as well as of affording time for prosecuting the defensive & provisional measures required on the part of the U. S. Whilst on another hand the course pursued by them will have demonstrated to foreign nations the moderation and fairness, which govern their councils, and have confirmed in all their citizens the motives which ought to incite them in support of the laws & the rights of their country. To these considerations may be added, that the measure has thus long frustrated those usurpations & spoliations, which if resisted involve war; if submitted to, sacrificed a vital principle of our national independence.

"Under a continuance of the belligerent measures which have overspread the ocean with danger, it will lie with the wisdom of Congress to decide on the course best adapted to such a state of things; and bringing with them as they do from every part of the union the sentiments of our constituents, my confidence is strengthened that in forming this decision, they will, with an unerring

exercise the authority in such manner as would withdraw the pretext on which the aggressions were originally founded, and open a way for a renewal of that commercial intercourse which it was alleged on all sides had been reluctantly obstructed. As each of those governments had pledged its readiness to concur in renouncing a measure which reached its adversary through the incontestable rights of neutrals only, and as the measure had

regard to the essential rights & interests of the nation weigh & compare the painful alternatives out of which a choice is to be made. Nor should I do justice to the virtues which on other occasions have marked the character of the American people, if I did not cherish an equal confidence, that the alternative chosen whatever it may be, will be maintained with all the fortitude & patriotism which the crisis ought to inspire.

"The documents containing the correspondence on the subject of the foreign edicts against our commerce with the instructions given to our ministers at London & Paris are laid before you.

(2) "The communications made to Congress at their last session explain the posture in which the close of the discussions relating to the attack by a B. ship of war on the frigate Chesapeake left a subject on which the nation had manifested so honorable a sensibility. Every view of what had passed, authorized a belief that immediate steps would be taken by the B. govt. for redressing a wrong; which the more it was investigated, appeared the more clearly to require what had not been provided for in the special mission. It is found that no steps have been taken for the purpose. On the contrary it will be seen in the documents laid before you, that the inadmissible preliminary which obstructed the adjustment, is still adhered to; and, moreover, that it is now brought into connection with the distinct and irrelative case of the orders in council. The instruction which had been given to our minister at London, with a view to facilitate if necessary the reparation claimed by the U. S. are included in the documents communicated."

Jefferson to Gallatin.

October 30, 1808.

I enclose you the financial paragraph with your amendments. I shall insert one on the militia, but doubt whether I can say anything about the deficiency of the revenue if the embargo is continued, having declined expressing any opinion on its continuance. The whole of the paragraphs respecting our foreign affairs will be to be remodelled in consequence of the return of the Hope. The manufacturing paragraph is also remanufactured. Affectionate salutations.

I am puzzled about the Martinique paupers.

Gallatin's Draft of Message.

First paragraph. As the message will have a much more rapid & extensive

been assumed by each as a retaliation for an asserted acquiescence in the aggressions of the other, it was reasonably expected that the occasion would have been seized by both for evincing the sincerity of their profession, and for restoring to the commerce of the United States its legitimate freedom. The instructions to our ministers with respect to the different belligerents were necessarily modified with reference to their different circumstances,

circulation than the accompanying documents, it seems desirable that the proposition made to the belligerent powers, particularly to Great Britain, should be more explicitly stated. "Our disposition to exercise the authority in such manner as would withdraw the very pretexts on which their aggressions were founded"—"as the measure had been assumed by each merely as a retaliation for a pretended acquiescence in the aggressions of the other"—"the very pretext for obstructing which (the commerce of the U. S.) no longer existed." From those sentences alone in the message, it would be impossible to infer that the fair proposition to the belligerent had actually been made. I am aware that a difficulty arises in making a brief & clear statement, from the modified manner in which the overture was made to France, which will be best explained by the documents. Yet, so far as practicable, it is of real importance that the message itself should at once & in an explicit manner apprize our citizens & the people of England of the candid, impartial & clear proposition which was made. How such a modification should be introduced cannot be suggested without recurrence to the instructions given to our ministers by the Secretary of State.

Would it be improper, in order to repel some late false assertions, to state the precise time & vessel by which the instructions were sent? Adding that when that vessel left Europe "no change had yet taken place &c." The definitive answer to our proposition which is every day expected not having at that time been yet given. This would modify the disagreeable intelligence that no change had yet taken place, & without raising improper expectations state the real fact & therefore that a possibility still existed of a change.

(The arrival of the Hope was not known when this page was written. Still I wish the President to read it.)

First and second paragraphs. The conduct of the belligerent affords certainly the most just ground of complaint. Yet those two paragraphs strike me as being too much in a tone of complaint & despondency. If the President should, on reading them over, think the observation correct, it will be easy to make a few verbal alterations. But there are two additions at the end of the first & second paragraphs which would produce the effect I wish, & be in other respects useful.

1. When speaking of the advantages resulting from the embargo to add, the opportunity thereby given of demonstrating to foreign nations the fairness of our conduct, of placing our cause on irrefragable grounds of justice, and of

and to the condition annexed by law to the executive power of suspension, requiring a degree of security to our commerce which would not result from a repeal of the decrees of France. Instead of a pledge, therefore, of a suspension of the embargo as to her in case of such a repeal, it was presumed that a sufficient inducement might be found in other considerations, and particularly in the change produced by a compliance with our just demands by one belligerent, and a refusal by the other, in the relations be-

thereby uniting the whole of our nation who must now be convinced of the sincerity of the efforts of the Executive & of the persevering injustice of the belligerent.

2. In speaking of the painful alternatives out of which Congress must choose, to add the confidence of the executive that the crisis, be it what it may, will be met with fortitude &c.

Third paragraph. I think this much too long, considering the degree of importance now attached to it by the nation. I would omit the opinion that the seamen will be restored.

Seventh paragraph. I would omit the sentence "as the additional expense to affect this would be very considerable, it will rest with Congress to decide on its being undertaken." For the fact is sufficiently evident without stating it; and under existing circumstances the sentence might be misrepresented as intended to prevent the adoption of the measure.

Tenth paragraph. The conclusion of this paragraph announces I fear more than has been performed. I would omit from "and force has imposed" to the end of the paragraph.

Eleventh paragraph. This paragraph appears to me the most objectionable in the message. From the manner in which it is expressed it might be inferred as the President's opinion, that a positive benefit is derived from the introduction of manufactures caused by the annihilation of commerce. I think the opinion, if it did exist, incorrect; but, be that as it may, its avowal, (for it will be construed as an avowal) will produce a pernicious effect & furnish a powerful weapon to the disaffected in the seaports & in all the eastern states. All that seems important to be communicated, and it is only in relation to the British govt. & nation that it is important, is that the situation in which we have been *forced* has *compelled* us to apply a portion of our industry & capital to manufactures, & that those establishments will be permanent for the reasons mentioned. But I would omit everything which looks like a contrast between commerce & manufactures, & exultation at the result. This result should, it seems to me, be given as consolation, & not as matter of congratulation in the abstract. Nor have we any data which would justify the supposition that the mass of our future wants will be supplied from among ourselves. The expressions which appear to me most objectionable are "The nation *at large* will derive sensible advantage from the conversion &c."

tween the other and the United States. To Great Britain, whose power on the ocean is so ascendant, it was deemed not inconsistent with that condition to state explicitly, that on her rescinding her orders in relation to the United States their trade would be opened with her, and remain shut to her enemy, in case of his failure to rescind his decrees also. From France no answer has been received, nor any indication that the requisite change

"the extent is far beyond expectation"—and "the mass of our future wants &c".

"& the produce of the agriculturalist &c." to the end of the sentence, particularly the contrast with the necessity heretofore incurred "to traverse the ocean exposed to its dangers & to rapine" which is little less than a denunciation of commerce.

Twelfth paragraph. The balance in the Treasury on 30th septr was about 13,600,000 dollars. But this great accumulation is due principally to our having redeemed but very little debt during the year; the great bulk of reimbursement falling for this calendar year on 31st Decr next, when we will have to pay near six millions, chiefly principal of the eight pr. cent stock. Those six millions must therefore be considered as a deduction from the balance in the Treasury; and as this is the last time that the President will address Congress on that subject, I would propose to include in the redemption of the debt what will be paid on 31 Decr. next. (stating it as such) presenting thereby in a single view the total amount of debt extinguished during the eight years of the President's administration. For there will be no paiments on that account between the 1st January & the 4th March next. I will be able Tuesday or Wednesday next to prepare a financial paragraph to that effect and to fill the blanks in round numbers. The President may then either substitute it, or fill the blanks of the present one.

But it follows that we cannot draw from this apparent accumulations the inferences next following in the message. The words "if we are to have war" do also state the case in words which have been avoided in other parts of the message: Nor do they state all the contingencies under which the application of all our funds will be obvious. For in case of the embargo being continued, we will have still less revenue & will therefore still more want the money in hand than in case of war. I would therefore submit the propriety of substituting, to that part of the message, in substance what follows. "The probable accumulation of the surpluses of revenue whenever the freedom & safety of our commerce shall be restored beyond what can be applied to the payment of the public debt merits the consideration of Congress. Shall it be unproductive? Shall the revenue be reduced? or shall it not &c."

I would omit the words "and at hazard in the public vaults".

When the subject of improvements was recommended two years ago by the President I prevailed on him to omit the idea of an apportionment amongst the

in her decrees is contemplated. The favorable reception of the proposition to Great Britain was the less to be doubted, as her orders of council had not only been referred for their vindication to an acquiesence on the part of the United States no longer to be pretended, but as the arrangement proposed, while it resisted the illegal decrees of France, involved, moreover, substantially, the precise advantages professedly aimed at by the British orders. The arrangement has nevertheless been rejected.

This candid and liberal experiment having thus failed, and no other event having occurred on which a suspension of the embargo by the executive was authorized, it necessarily remains in the extent originally given to it. We have the satisfaction, however, to reflect, that in return for the privations by the meas-

several states. For the same reason I wish extremely that the words "Securing to each of them the employment of their proportionate share within their respective states." It may ultimately be necessary to insert such provision in the amendment in order to insure its success; but it is very desirable that it should be adopted without such restriction. A just apportionment will naturally result from the conflicting interests on the floor of Congress. But the strict rule in a constitutional provision would be very embarrassing & sometimes defeat the most important objects, because it often happens that an improvement is as useful or more useful to an adjacent state than to that through which it passes. Thus the Chesapeake & Delaware canal is almost altogether in the state of Delaware & does not touch Pennsylvania to which it is more useful than to any other state. According to the rule, its expense should be considered as the apportionment of Delaware; and Pennsylvania would receive her whole apportionment for other works, as if that was not done principally on her account. Indeed as Delaware is not 1/100 part of the union, if the part of the canal which passes through that state costs 600,000 dollars, it never could be done unless sixty millions of dollars were expended in the whole. I am clearly of opinion that without an amendment to the Constitution nothing efficient can be done; but in order to insure the execution of the great national communications, the application should if possible be left by the amendment to Congress unrestrained by special rules.

There are I think two omissions in the message.

1st. In the case of war or continued embargo, the revenue will be evidently insufficient to meet the expenses.

2. Although former recommendations have not been successful, I would again call the attention of Congress to improvement in the militia, that defence which events have now so clearly demonstrated to be the only one on which nations can rely with safety.

ure, and which our fellow citizens in general have borne with patriotism, it has had the important effects of saving our mariners and our vast mercantile property, as well as of affording time for prosecuting the defensive and provisional measures called for by the occasion. It has demonstrated to foreign nations the moderation and firmness which govern our councils, and to our citizens the necessity of uniting in support of the laws and the rights of their country, and has thus long frustrated those usurpations and spoliations which, if resisted, involve war ; if submitted to, sacrificed a vital principle of our national independence.

Under a continuance of the belligerent measures which, in defiance of laws which consecrate the rights of neutrals, overspread the ocean with danger, it will rest with the wisdom of Congress to decide on the course best adapted to such a state of things ; and bringing with them, as they do, from every part of the Union, the sentiments of our constituents, my confidence is strengthened, that in forming this decision they will, with an unerring regard to the essential rights and interests of the nation, weigh and compare the painful alternatives out of which a choice is to be made. Nor should I do justice to the virtues which on other occasions have marked the character of our fellow citizens, if I did not cherish an equal confidence that the alternative chosen, whatever it may be, will be maintained with all the fortitude and patriotism which the crisis ought to inspire.

The documents containing the correspondences on the subject of the foreign edicts against our commerce, with the instructions given to our ministers at London and Paris, are now laid before you.

The communications made to Congress at their last session explained the posture in which the close of the discussion relating to the attack by a British ship of war on the frigate Chesapeake left a subject on which the nation had manifested so honorable a sensibility. Every view of what had passed authorized a belief that immediate steps would be taken by the British government for redressing a wrong, which, the more it was investigated, appeared the more clearly to require what had not been provided for in the special mission. It is found that no steps have been taken for the purpose. On the contrary, it will be

seen, in the documents laid before you, that the inadmissible preliminary which obstructed the adjustment is still adhered to; and, moreover, that it is now brought into connection with the distinct and irrelative case of the orders in council. The instructions which had been given to our ministers at London with a view to facilitate, if necessary, the reparation claimed by the United States, are included in the documents communicated.

Our relations with the other powers of Europe have undergone no material changes since your last session. The important negotiations with Spain, which had been alternately suspended and resumed, necessarily experience a pause under the extraordinary and interesting crisis which distinguished her internal situation.

With the Barbary powers we continue in harmony, with the exception of an unjustifiable proceeding of the dey of Algiers toward our consul to that regency. Its character and circumstances are now laid before you, and will enable you to decide how far it may, either now or hereafter, call for any measures not within the limits of the executive authority.

With our Indian neighbors the public peace has been steadily maintained. Some instances of individual wrong have, as at other times, taken place, but in nowise implicating the will of the nation. Beyond the Mississippi, the Iowas, the Sacs, and the Alabamas, have delivered up for trial and punishment individuals from among themselves accused of murdering citizens of the United States. On this side of the Mississippi, the Creeks are exerting themselves to arrest offenders of the same kind; and the Choctaws have manifested their readiness and desire for amicable and just arrangements respecting depredations committed by disorderly persons of their tribe. And, generally, from a conviction that we consider them as part of ourselves, and cherish with sincerity their rights and interests, the attachment of the Indian tribes is gaining strength daily—is extending from the nearer to the more remote, and will amply requite us for the justice and friendship practised towards them. Husbandry and household manufacture are advancing among them, more rapidly with the southern than the northern tribes, from circumstances of soil and climate; and one of the two great

divisions of the Cherokee nation have now under consideration to solicit the citizenship of the United States, and to be identified with us in laws and government, in such progressive manner as we shall think best.

In consequence of the appropriations of the last session of Congress for the security of our seaport towns and harbors, such works of defence have been erected as seemed to be called for by the situation of the several places, their relative importance, and the scale of expense indicated by the amount of the appropriation. These works will chiefly be finished in the course of the present season, except at New York and New Orleans, where most was to be done; and although a great proportion of the last appropriation has been expended on the former place, yet some further views will be submitted by Congress for rendering its security entirely adequate against naval enterprise. A view of what has been done at the several places, and of what is proposed to be done, shall be communicated as soon as the several reports are received.

Of the gun-boats authorized by the act of December last, it has been thought necessary to build only one hundred and three in the present year. These, with those before possessed, are sufficient for the harbors and waters exposed, and the residue will require little time for their construction when it is deemed necessary.

Under the act of the last session for raising an additional military force, so many officers were immediately appointed as were necessary for carrying on the business of recruiting, and in proportion as it advanced, others have been added. We have reason to believe their success has been satisfactory, although such returns have not yet been received as enable me to present to you a statement of the numbers engaged.

I have not thought it necessary in the course of the last season to call for any general detachments of militia or volunteers under the law passed for that purpose. For the ensuing season, however, they will require to be in readiness should their services be wanted. Some small and special detachments have been necessary to maintain the laws of embargo on that portion of our northern frontier which offered peculiar facilities for

evasion, but these were replaced as soon as it could be done by bodies of new recruits. By the aid of these, and of the armed vessels called into actual service in other quarters, the spirit of disobedience and abuse which manifested itself early, and with sensible effect while we were unprepared to meet it, has been considerably repressed.

Considering the extraordinary character of the times in which we live, our attention should unremittingly be fixed on the safety of our country. For a people who are free, and who mean to remain so, a well-organized and armed militia is their best security. It is, therefore, incumbent on us, at every meeting, to revise the condition of the militia, and to ask ourselves if it is prepared to repel a powerful enemy at every point of our territories exposed to invasion. Some of the States have paid a laudable attention to this object; but every degree of neglect is to be found among others. Congress alone have power to produce a uniform state of preparation in this great organ of defence; the interests which they so deeply feel in their own and their country's security will present this as among the most important objects of their deliberation.

Under the acts of March 11th and April 23d, respecting arms, the difficulty of procuring them from abroad, during the present situation and dispositions of Europe, induced us to direct our whole efforts to the means of internal supply. The public factories have, therefore, been enlarged, additional machineries erected, and in proportion as artificers can be found or formed, their effect, already more than doubled, may be increased so as to keep pace with the yearly increase of the militia. The annual sums appropriated by the latter act, have been directed to the encouragement of private factories of arms, and contracts have been entered into with individual undertakers to nearly the amount of the first year's appropriation.

The suspension of our foreign commerce, produced by the injustice of the belligerent powers, and the consequent losses and sacrifices of our citizens, are subjects of just concern. The situation into which we have thus been forced, has impelled us to apply a portion of our industry and capital to internal manufactures and improvements. The extent of this conversion is daily

increasing, and little doubt remains that the establishments formed and forming will—under the auspices of cheaper materials and subsistence, the freedom of labor from taxation with us, and of protecting duties and prohibitions—become permanent. The commerce with the Indians, too, within our own boundaries, is likely to receive abundant aliment from the same internal source, and will secure to them peace and the progress of civilization, undisturbed by practices hostile to both.

The accounts of the receipts and expenditures during the year ending on the 30th day of September last, being not yet made up, a correct statement will hereafter be transmitted from the Treasury. In the meantime, it is ascertained that the receipts have amounted to near eighteen millions of dollars, which, with the eight millions and a half in the treasury at the beginning of the year, have enabled us, after meeting the current demands and interest incurred, to pay two millions three hundred thousand dollars of the principal of our funded debt, and left us in the treasury, on that day, near fourteen millions of dollars. Of these, five millions three hundred and fifty thousand dollars will be necessary to pay what will be due on the first day of January next, which will complete the reimbursement of the eight per cent. stock. These payments, with those made in the six years and a half preceding, will have extinguished thirty-three millions five hundred and eighty thousand dollars of the principal of the funded debt, being the whole which could be paid or purchased within the limits of the law and our contracts; and the amount of principal thus discharged will have liberated the revenue from about two millions of dollars of interest, and added that sum annually to the disposable surplus. The probable accumulation of the surpluses of revenue beyond what can be applied to the payment of the public debt, whenever the freedom and safety of our commerce shall be restored, merits the consideration of Congress. Shall it lie unproductive in the public vaults? Shall the revenue be reduced? Or shall it rather be appropriated to the improvements of roads, canals, rivers, education, and other great foundations of prosperity and union, under the powers which Congress may already possess, or such amendment of the constitution as may be approved by the States? While uncertain of the course

of things, the time may be advantageously employed in obtaining the powers necessary for a system of improvement, should that be thought best.

Availing myself of this the last occasion which will occur of addressing the two houses of the legislature at their meeting, I cannot omit the expression of my sincere gratitude for the repeated proofs of confidence manifested to me by themselves and their predecessors since my call to the administration, and the many indulgences experienced at their hands. The same grateful acknowledgments are due to my fellow citizens generally, whose support has been my great encouragement under all embarrassments. In the transaction of their business I cannot have escaped error. It is incident to our imperfect nature. But I may say with truth, my errors have been of the understanding, not of intention; and that the advancement of their rights and interests has been the constant motive for every measure. On these considerations I solicit their indulgence. Looking forward with anxiety to their future destinies, I trust that, in their steady character unshaken by difficulties, in their love of liberty, obedience to law, and support of the public authorities, I see a sure guaranty of the permanence of our republic; and retiring from the charge of their affairs, I carry with me the consolation of a firm persuasion that Heaven has in store for our beloved country long ages to come of prosperity and happiness.

TO ABRAHAM BISHOP. J. MSS.

WASHINGTON, Nov. 13, 08.

SIR,—Not knowing whether Colo. Humphreys would be at present at or in the neighborhood of New Haven, or in Boston, I take the liberty of addressing a request to yourself. Homespun is become the spirit of the times: I think it an useful one, & therefore that it is a duty to encourage it by example. The best fine cloth made in the U. S. is, I am told, at the manufacture of Colo. Humphreys in your neighbor-

hood. Could I get the favor of you to procure me there as much of his best as would make me a coat. I should prefer a deep blue, but, if not to be had, then a black. Some person coming on in the stage can perhaps be found who would do me the favor of taking charge of it. The amount shall be remitted to you the moment you shall be so kind as to notify it to me, or paid to any member of the legislature here whom yourself or Colonel Humphreys' agent shall indicate. Having so little acquaintance in or near New Haven, I hope you will pardon the liberty I take in proposing this trouble to you towards which the general motive will perhaps avail something. I salute you with esteem & respect.[1]

[1] Jefferson later wrote to Colonel Humphreys.

WASHINGTON, January 20, 1809.

SIR,—I have to acknowledge the receipt of your favor of December 12th, and to return you my thanks for the cloth furnished me. It came in good time, and does honor to your manufactory, being as good as any one would wish to wear in any country. Amidst the pressure of evils with which the belligerent edicts have afflicted us, some permanent good will arise; the spring given to manufactures will have durable effects. Knowing most of my own State, I can affirm with confidence that were free intercourse opened again to-morrow, she would never again import one-half of the coarse goods which she has done down to the date of the edicts. These will be made in our families. For finer goods we must resort to the larger manufactories established in the towns. Some jealousy of this spirit of manufacture seems excited among commercial men. It would have been as just when we first began to make our own ploughs and hoes. They have certainly lost the profit of bringing these from a foreign country. My idea is that we should encourage home manufactures to the extent of our own consumption of everything of which we raise the raw material. I do not think it fair in the ship-owners to say we ought not to make our own axes, nails, &c., here, that they may have the benefit of carrying the iron to Europe, and bringing back the axes, nails, &c. Our agriculture will still afford surplus produce enough to employ a due proportion of navigation. Wishing every possible success to your undertaking, as well for your personal as the public benefit, I salute you with assurances of great esteem and respect.

TO LIEUTENANT GOVERNOR LEVI LINCOLN. J. MSS.

WASHINGTON, Nov 13, 08.

DEAR SIR,—I enclose you a petition from Nantucket, & refer it for your decision. Our opinion here is, that that place has been so deeply concerned in smuggling, that if it wants, it is because it has illegally sent away what it ought to have retained for its own consumption. Be so good as to bear in mind that I have asked the favor of you to see that your State encounters no real want, while, at the same time, where applications are made merely to cover fraud, no facilities towards that be furnished. I presume there can be no want in Massachusetts as yet, as I am informed that Governor Sullivan's permits are openly bought & sold here & in Alexandria & at other markets. The congressional campaign is just opening: three alternatives alone are to be chosen from. 1. Embargo. 2. War. 3. Submission and tribute. &, wonderful to tell, the last will not want advocates. The real question, however, will lie between the two first, on which there is considerable division. As yet the first seems most to prevail; but opinions are by no means yet settled down. Perhaps the advocates of the 2d may, to a formal declaration of war, prefer *general* letters of mark & reprisal, because, on a repeal of their edicts by the belligerent, a revocation of the letters of mark restores peace without the delay, difficulties, & ceremonies of a treaty. On this occasion, I think it is fair to leave to those who are to act on them, the decisions they prefer, being to be myself but a spectator. I should not feel justified in direct-

ing measures which those who are to execute them would disapprove. Our situation is truly difficult. We have been pressed by the belligerents to the very wall, & all further retreat impracticable.

I salute you with sincere friendship.

TO WILLIAM A. BURWELL. J. MSS.

WASHINGTON, Nov. 22, 08.

MY DEAR SIR,—Your friendly intimations to me as to matters respecting myself, never need an apology. I know them always to proceed from the kindest motives, & am thankful for them. I have had too many proofs of the interest you take in what concerns me to have a doubt of this. But the story from Richmond is one of those unfounded falsehoods which assail me regularly in whatever direction I move. Mr. Jefferson had instructions in December or January last to sell my tobo. then delivered him whenever he could get 7 Dollars. You know the slight expectation entertained in the summer that Gr. Britain would revoke her decrees & you now know the ground of that expectation. But from the moment of the return of the St. Michæl, which was about the beginning of October, it was known publicly that this vessel brought the most unfavorable accounts. Notwithstanding this, from pretended London letters & lies of the Federalists themselves, a new hope was excited among the speculators, who had given 6. 7. & 8. D. for tobo. at Richmond some weeks before mine was sold. At length the price originally limited for mine was offered to Mr. Jefferson, who thereupon sold, receiving one-half in cash, the other payable in 60 days. Since the transaction, the bitter spirits of the place have tacked to it a story that Mr. Coles had written & his letter was shewn saying the embargo would be taken off. In the first place I never heard of any letter written by Mr. Coles till I saw it mentioned in a N. Y. paper, after my tobo. was sold & the first payment remitted me. In the next place, Mr. Coles letter did not say one word about the embargo; it only stated to his brother that he had heard Mr. Madison say

the night before that wheat was at 14/ sterling in England & therefore, expecting that that would in some way affect prices here, he strongly dissuaded him from selling his wheat. He accordingly declined selling & went home. This letter discouraging the sale of wheat, was by that perversion so habitual with these people, made to be an encouragement to the sale of my tobo. Mr. Coles has fully stated this in the Richmond papers, and I pray you to speak with him on the subject, as he knows that his letter was totally unknown to me, & in fact had no more connection with the sale of my tobo. nor could, when candidly stated, have no more effect on it's price, than on the price of Louisiana. Your suggestion of relinquishing the contract has not I think been well weighed. The consequence would inevitably be that instead of giving me credit for a liberal act, the Federalists would consider it as a plea of guilty, and give to the story a new form of tenfold malignity & difficulty to refute. 'Conscious of having cheated the purchasers, he has slunk out of a transaction which he knew could not be supported, & claims merit for his meanness as if it were a liberality.' As sure as we live this turn, or a worse one, if they could find a worse would be given it. And the inference of guilt would be rendered more plausible. No, my dear friend, it has been a fair & honorable transaction, and my reputation is pledged to maintain it as such: and long experience has convinced me that this is not to be done by shuffling the question from one ground to another, but by taking & holding to the original ground of truth. Were I to buy off every Federal lie by a sacrifice of 2 or 3 thousand D. a very few such purchases would make me as bankrupt in reputation as in fortune. To buy off one lie is to give a premium for the invention of others. From the moment I was proposed for my present office, the volumes of calumny & falsehood issued to the public, rendered impracticable every idea of going into the work of finding & proving. I determined therefore to go straight forward in what was right, and to rest my character with my countrymen not on depositions & affidavits, but on what they should themselves witness, the course of my life. I have had no reason to be dissatisfied with the confidence reposed in the public, on the contrary great encouragement to persevere in it to the end.

The Federalists, very evidently, instead of lying me down, have lied themselves down and so near the end of my courage, it would not be wise in me to give them a new credit by paying a respect to a new falsehood which I had never done to former ones. Many of these would have required only a simple denial, but I saw that even that would have led to the infallible inference, that whatever I had not denied was to be presumed true. I have therefore never done even this, but to such of my friends as happen to converse on these subjects, and I have never believed that my character could hang upon every two-penny lie of our common enemies. The story in question is now an old one, of about a month, yet it had made so little impression on me that I had never thought of it in our conversations, or I should have mentioned it to you. And I cannot help believing that on reconsideration you will think that the course I propose is consonant with a system from which it would not be advisable to depart at this late day. Still the interest you have felt on the subject is an additional proof of your friendship, and meets my sincere acknolegements, to which permit me to add the assurances of my affectionate attachment & respect.

TO THOMAS JEFFERSON RANDOLPH.[1] J. MSS.

WASHINGTON November 24, 1808.

MY DEAR JEFFERSON,—I have just received the enclosed letter under cover from Mr. Bankhead which I presume is from Anne, and will inform you she is well. Mr. Bankhead has consented to go & pursue his studies at Monticello, and live with us till his pursuits or circumstances may require a separate establishment. Your situation, thrown at such a distance from us, & alone, cannot but give us all great anxieties for you. As much has been secured for you, by your particular position and the acquaintance to which you have been recommended, as could be done towards shielding you from the dangers which surround you. But thrown on a wide world, among entire strangers, without a friend or guardian to advise, so young too and

[1] His grandson.

with so little experience of mankind, your dangers are great, & still your safety must rest on yourself. A determination never to do what is wrong, prudence and good humor, will go far towards securing to you the estimation of the world. When I recollect that at 14 years of age, the whole care & direction of myself was thrown on myself entirely, without a relation or friend qualified to advise or guide me, and recollect the various sorts of bad company with which I associated from time to time, I am astonished I did not turn off with some of them, & become as worthless to society as they were. I had the good fortune to become acquainted very early with some characters of very high standing, and to feel the incessant wish that I could ever become what they were. Under temptations & difficulties, I would ask myself what would Dr. Small, Mr. Wythe, Peyton Randolph do in this situation? What course in it will insure me their approbation? I am certain that this mode of deciding on my conduct, tended more to its correctness than any reasoning powers I possessed. Knowing the even & dignified line they pursued, I could never doubt for a moment which of two courses would be in character for them. Whereas, seeking the same object through a process of moral reasoning, & with the jaundiced eye of youth, I should often have erred. From the circumstances of my position, I was often thrown into the society of horse racers, card players, fox hunters, scientific & professional men, and of dignified men; and many a time have I asked myself, in the enthusiastic moment of the death of a fox, the victory of a favorite horse, the issue of a question eloquently argued at the bar, or in the great council of the nation, well, which of these kinds of reputation should I prefer? That of a horse jockey? a fox hunter? an orator? or the honest advocate of my country's rights? Be assured, my dear Jefferson, that these little returns into ourselves, this self-catechising habit, is not trifling nor useless, but leads to the prudent selection & steady pursuit of what is right.

I have mentioned good humor as one of the preservatives of our peace & tranquillity. It is among the most effectual, and its effect is so well imitated and aided, artificially, by politeness, that this also becomes an acquisition of first rate value. In truth, politeness is artificial good humor, it covers the natural want of

it, & ends by rendering habitual a substitute nearly equivalent to the real virtue. It is the practice of sacrificing to those whom we meet in society, all the little conveniences & preferences which will gratify them, & deprive us of nothing worth a moment's consideration; it is the giving a pleasing & flattering turn to our expressions, which will conciliate others, and make them pleased with us as well as themselves. How cheap a price for the good will of another! When this is in return for a rude thing said by another, it brings him to his senses, it mortifies & corrects him in the most salutary way, and places him at the feet of your good nature, in the eyes of the company. But in stating prudential rules for our government in society, I must not omit the important one of never entering into dispute or argument with another. I never saw an instance of one of two disputants convincing the other by argument. I have seen many, on their getting warm, becoming rude, & shooting one another. Conviction is the effect of our own dispassionate reasoning, either in solitude, or weighing within ourselves, dispassionately, what we hear from others, standing uncommitted in argument ourselves. It was one of the rules which, above all others, made Doctor Franklin the most amiable of men in society, "never to contradict anybody." If he was urged to announce an opinion, he did it rather by asking questions, as if for information, or by suggesting doubts. When I hear another express an opinion which is not mine, I say to myself, he has a right to his opinion, as I to mine; why should I question it? His error does me no injury, and shall I become a Don Quixote, to bring all men by force of argument to one opinion? If a fact be misstated, it is probable he is gratified by a belief of it, & I have no right to deprive him of the gratification. If he wants information, he will ask it, & then I will give it in measured terms; but if he still believes his own story, & shows a desire to dispute the fact with me, I hear him & say nothing. It is his affair, not mine, if he prefers error. There are two classes of disputants most frequently to be met with among us. The first is of young students, just entered the threshold of science, with a first view of its outlines, not yet filled up with the details & modifications which a further progress would bring to their knoledge. The other consists of the ill-tempered & rude men in

society, who have taken up a passion for politics. (Good humor & politeness never introduce into mixed society, a question on which they foresee there will be a difference of opinion.) From both of those classes of disputants, my dear Jefferson, keep aloof, as you would from the infected subjects of yellow fever or pestilence. Consider yourself, when with them, as among the patients of Bedlam, needing medical more than moral counsel. Be a listener only, keep within yourself, and endeavor to establish with yourself the habit of silence, especially on politics. In the fevered state of our country, no good can ever result from any attempt to set one of these fiery zealots to rights, either in fact or principle. They are determined as to the facts they will believe, and the opinions on which they will act. Get by them, therefore, as you would by an angry bull; it is not for a man of sense to dispute the road with such an animal. You will be more exposed than others to have these animals shaking their horns at you, because of the relation in which you stand with me. Full of political venom, and willing to see me & to hate me as a chief in the antagonist party, your presence will be to them what the vomit grass is to the sick dog, a nostrum for producing ejaculation. Look upon them exactly with that eye, and pity them as objects to whom you can administer only occasional ease. My character is not within their power. It is in the hands of my fellow citizens at large, and will be consigned to honor or infamy by the verdict of the republican mass of our country, according to what themselves will have seen, not what their enemies and mine shall have said. Never, therefore, consider these puppies in politics as requiring any notice from you, & always show that you are not afraid to leave my character to the umpirage of public opinion. Look steadily to the pursuits which have carried you to Philadelphia, be very select in the society you attach yourself to, avoid taverns, drinkers, smokers, idlers, & dissipated persons generally; for it is with such that broils & contentions arise; and you will find your path more easy and tranquil. The limits of my paper warn me that it is time for me to close with my affectionate adieu.

P. S. Present me affectionately to Mr. Ogilvie, &, in doing the

same to Mr. Peale, tell him I am writing with his polygraph, & shall send him mine the first moment I have leisure enough to pack it.

TO CHARLES THOMSON. J. MSS.

WASHINGTON, Dec. 25, 08.

I thank you, my dear & antient friend, for the two volumes of your translation, which you have been so kind as to send me. I have dipped into it at the few moments of leisure which my vocations permit, and I perceive that I shall use it with great satisfaction on my return home. I propose there, among my first emploiments, to give to the Septuagint an attentive perusal, and shall feel the aid you have now given me. I am full of plans of emploiment when I get there,—they chiefly respect the active functions of the body. To the mind I shall administer amusement chiefly. An only daughter and numerous family of grandchildren, will furnish me great resources of happiness. I learn with sincere pleasure that you have health & activity enough to have performed the journey to & from Lancaster without inconvenience. It has added another proof that you are not wearied with well-doing. Altho I have enjoyed as uniform health through life as reason could desire, I have no expectation that, even if spared to your age, I shall at that period be able to take such a journey. I am already sensible of decay in the power of walking, and find my memory not so faithful as it used to be. This may be partly owing to the incessant current of new matter flowing constantly through it; but I ascribe to years their share in it also. That you may be con-

tinued among us to the period of your own wishes, & that it may be filled with continued health & happiness, is the sincere prayer of your affectionate friend.

TO DOCTOR WILLIAM EUSTIS. J. MSS.

WASHINGTON, January 14, 1809.

SIR,—I have the pleasure to acknowledge the receipt of your letter of December the 24th, and of the resolutions of the republican citizens of Boston, of the 19th of that month. These are worthy of the ancient character of the sons of Massachusetts, and of the spirit of concord with her sister States, which, and which alone, carried us successfully through the revolutionary war, and finally placed us under that national government, which constitutes the safety of every part, by uniting for its protection the powers of the whole. The moment for exerting these united powers, to repel the injuries of the belligerents of Europe, seems likely to be pressed upon us. They have interdicted our commerce with nearly the whole world. They have declared it shall be carried on with such places, in such articles, and in such measure only, as they shall dictate; thus prostrating all the principles of right which have hitherto protected it. After exhausting the cup of forbearance and conciliation to its dregs, we found it necessary, on behalf of that commerce, to take time to call it home into a state of safety, to put the towns and harbors which carry it on into a condition of defence, and to make further preparation for enforcing the redress of its wrongs, and restoring it to its rightful freedom. This required a certain measure of time, which, although not admitting specific limitation, must, from its avowed objects, have been obvious to all; and the progress actually made towards the accomplishment of these objects, proves it now to be near its term. While thus endeavoring to secure, and preparing to vindicate that commerce, the absurd opinion has been propagated, that this temporary and necessary arrangement was to be a permanent system, and was intended for its destruction. The sentiments expressed in the paper you

were so kind as to enclose to me, show that those who have concurred in them have judged with more candor the intentions of their government, and are sufficiently aware of the tendency of the excitements and misrepresentations which have been practised on this occasion. And such, I am persuaded, will be the disposition of the citizens of Massachusetts at large, whenever truth can reach them. Associated with her sister States in a common government, the fundamental principle of which is, that the will of the majority is to prevail, sensible that, in the present difficulty, that will has been governed by no local interests or jealousies, that, to save permanent rights, temporary sacrifices were necessary, that these have fallen as impartially on all, as in a situation so peculiar they could be made to do, she will see in the existing measures a legitimate and honest exercise of the will and wisdom of the whole. And her citizens, faithful to themselves and their associates, will not, to avoid a transient pressure, yield to the seductions of enemies to their independence, foreign or domestic, and take a course equally subversive of their well-being, as of that of their brethren.

The approbation expressed by the republican citizens of the town of Boston, of the course pursued by the national government, is truly consoling to its members; and, encouraged by the declaration of the continuance of their confidence, and by the assurance of their support, they will continue to pursue the line of their high duties according to the best of their understandings, and with undeviating regard to the good of the whole. Permit me to avail myself of this occasion of tendering you personally the assurances of my great esteem and respect.[1]

[1] Jefferson wrote later to Dr. Eustis:

MONTICELLO, Oct. 6, 09.

DEAR SIR:—Solicited by a poor man in an adjoining county who states his case in the enclosed letter, & truly, as far as I can learn, I take the liberty of putting it under cover to you in the hope you will be so good as to put it into the hands of the proper clerk that whatever is right may be done, & if nothing can be done, that the clerk may certify the grounds, so as to inform the applicant & put him at rest. The paper, if inclosed to me, shall be safely conveyed to him.

I am glad of an occasion of congratulating you as well as my country on your

CIRCULAR LETTER FROM THE SECRETARY OF WAR TO THE GOVERNORS.[1]

January 17, 1809.

SIR,—The pressure of the embargo, though sensibly felt by every description of our fellow citizens, has yet been cheerfully borne by most of them, under the conviction that it was a temporary evil, and a necessary one to save us from greater and more permanent evils,—the loss of property and surrender of rights. But it would have been more cheerfully borne, but for the knowledge that, while honest men were religiously observing it, the unprincipled along our sea-coast and frontiers were fraudulently evading it; and that in some parts they had even dared to break through it openly, by an armed force too powerful to be opposed by the collector and his assistants. To put an end to this scandalous insubordination to the laws, the Legislature has authorized the President to empower proper persons to employ militia, for preventing or suppressing armed or riotous assemblages of persons resisting the custom-house officers in the exercise of their duties, or opposing or violating the embargo laws. He sincerely hopes that, during the short time which these restrictions are expected to continue, no other instances will take place of a crime of so deep a die. But it is made his duty to take the measures necessary to meet it. He therefore requests you, as commanding officer of the militia of your State, to appoint some officer of the militia, of known respect for the laws, in or near to each port of entry within your State, with orders, when applied to by the collector of the district, to assemble immediately a sufficient force of his militia, and to employ them efficaciously to

accession to a share in the direction of our executive councils. Besides the general advantages we may promise ourselves from the employment of your talents & integrity in so important a station, we may hope peculiar effect from it towards restoring deeply wounded amity between your native state & her sisters. The design of the leading Federalists, then having direction of the state, to take advantage of the first war with England to separate the N. E. states from the union has distressingly impaired our future confidence in them. In this, as in all other cases, we must do them full justice, and make the fault all their own, should the last hope of human liberty be destined to receive it's final stab from them. I salute you with great esteem & respect.

[1] Drafted by Thomas Jefferson.

maintain the authority of the laws respecting the embargo, and that you notify to each collector the officer to whom, by your appointment, he is so to apply for aid when necessary. He has referred this appointment to your Excellency, because your knowledge of characters, or means of obtaining it, will enable you to select one who can be most confided in to exercise so serious a power, with all the discretion, the forbearance, the kindness even, which the enforcement of the law will possibly admit,—ever to bear in mind that the life of a citizen is never to be endangered, but as the last melancholy effort for the maintenance of order and obedience to the laws.

TO THOMAS LEIPER. J. MSS.

WASHINGTON, January, 21, 1809.

DEAR SIR,—Your letter of the 15th was duly received, and before that, Towers' book, which you had been so kind as to send me, had come to hand, for which I pray you to receive my thanks. You judge rightly that here I have no time to read. A cursory view of the book shows me that the author is a man of much learning in his line. I have heard of some other late writer, (the name I forget,) who has undertaken to prove contrary events from the same sources; and particularly that England is not to be put down; and that this is the favorite author in that country. As to myself, my religious reading has long been confined to the moral branch of religion, which is the same in all religions; while in that branch which consists of dogmas, all differ, all have a different set. The former instructs us how to live well and worthily in society; the latter are made to interest our minds in the support of the teachers who inculcate them. Hence, for one sermon on a moral subject, you hear ten on the dogmas of the sect. However, religion is not the subject for you and me; neither of us know the religious opinions of the other; that is a matter between our Maker and ourselves. We understand each other better in politics, to which therefore I will proceed. The House of Representatives passed last night a bill for the meeting of Congress on the 22d of May. This substantially decides the course

they mean to pursue; that is, to let the embargo continue till then, when it will cease, and letters of marque and reprisal be issued against such nations as shall not then have repealed their obnoxious edicts. The great majority seem to have made up their minds on this, while there is considerable diversity of opinion on the details of preparation; to wit: naval force, volunteers, army, non-intercouse, &c. I write freely to you, because I know that in stating facts, you will not quote names. You know that every syllable uttered in my name becomes a text for the federalists to torment the public mind on by their paraphrases and perversions. I have lately inculcated the encouragement of manufactures to the extent of our own consumption at least, in all articles of which we raise the raw material. On this the federal papers and meetings have sounded the alarm of Chinese policy, destruction of commerce, &c.; that is to say, the iron which we make must not be wrought here into ploughs, axes, hoes, &c., in order that the ship-owner may have the profit of carrying it to Europe, and bringing it back in a manufactured form, as if after manufacturing our own raw materials for our own use, there would not be a surplus produce sufficient to employ a due proportion of navigation in carrying it to market and exchanging it for those articles of which we have not the raw material. Yet this absurd hue and cry has contributed much to federalize New England, their doctrine goes to the sacrificing agriculture and manufactures to commerce; to the calling all our people from the interior country to the sea-shore to turn merchants, and to convert this great agricultural country into a city of Amsterdam. But I trust the good sense of our country will see that its greatest prosperity depends on a due balance between agriculture, manufactures and commerce, and not in this protuberant navigation which has kept us in hot water from the commencement of our government, and is now engaging us in war. That this may be avoided, if it can be done without a surrender of rights, is my sincere prayer. Accept the assurances of my constant esteem and respect.

TO ABRAHAM VENABLE. J. MSS.

WASHINGTON, January 23, 09.

DEAR SIR,—In a letter to my friend & relation Mr. Jefferson, I explained to him the unexpected difficulties into which I was likely to fall on my winding up my affairs here, with a request to endeavor to procure me the aid of the bank at Richmond. You have been so kind as to interpose and to procure for me the sum needed on private loan, which is infinitely more eligible for myself. It is the more so inasmuch as your friendly undertaking to be my indorser, contrary to a necessary rule you had established will, by remaining unknown, not expose you to other solicitations of the like kind. I return you, my dear sir, my sincere thanks for this friendly relief, and shall ever retain a lively sense of it; & the greater as I should never have thought myself entitled to ask such a favor of you. In addition to the resources for repaiment mentioned in the letter to Mr. Jefferson, I have directed my agents in Bedford & Albermarle to offer in each place a tract of land for sale, worth each from 4 to 5 thousand D. A crop of tobo. which will be in his hands the next month, will make a first impression on the amount, and with another a twelve month hence will discharge 5,000 D. of the sum, for the balance I must depend on the sale of some of those lands, of which one tract alone is certain, an offer having been made to me for that. Lands are of difficult sale. For this reason I have asked the indulgence of a twelve month certain. The note sent me is for 6 months, but I presume will be renewable; otherwise

I should be forced at its expiration to have recourse to the bank. Repeating again my extreme obligation to you, I salute you with great esteem & respect.[1]

[1] On the subject of his financial straits Jefferson further wrote to Madison:

MONTICELLO, May 22, 09.

DEAR SIR,—It is my duty to write to you on the subject of the note you were so kind as to endorse for me at the Bank of the U. S., and I do it willingly, altho' painfully. Notwithstanding a fixed determination to take care that at the termination of my duties at Washington my pecuniary matters should at least be square, and my confidence that they would be so, I found, by an estimate made in December last, that there would be a deficit in them of several thousand dollars. I took immediate measures for transferring that debt to Virginia, and did it the more easily as I was enabled to pledge certain resources which I had in possession, or not very distant. However after this liquidation effected other demands, which had not come under my view, came upon me, one after another, and required to answer them the amount of the note you indorsed for me. The forms of the bank requiring two indorsers, for an absentee, I asked of Mr. Barnes to be the second, which he very readily assented to, the cashier previously assuring me that it would have no effect on their transactions with Mr. Barnes on his private account, & so I assured him. But by a letter I have received from the old gentleman, I find that he is made uneasy by some circumstance in the execution of the note, which makes him liable in the first instance, were the bank, contrary to expectation, to make a sudden demand of the money. It would add much to my affliction to give him uneasy nights at his age, which obliges me to ask you to satisfy him by interposing yourself between him & the first liability to the bank, which I believe is done by your subscribing the words 'credit the drawer' instead of his doing it. He however can best say how this may be done. I might, without much delay have relieved you from this unpleasant responsibility had I not engaged my earliest resources on my first estimate, which I then thought would discharge all demands. It is this circumstance which renders me unable to fix any time with confidence. I limit my expenses here to my income here, leaving that of my Bedford estate free, which is about 2500 D. clear one year with another. But as this would take an improper course of time, I am endeavoring to sell several detached parcels of land, unconnected with my possessions either here or in Bedford, & which I can spare without diminution of revenue or other inconvenience. They amount to between two & three thousand acres & at the market prices would bring the double of these deficits. I trust that the bank will find no interest in calling for a reimbursement before I shall have been able to avail myself of all my resources.

I had seen with much pleasure that the dispute with Pennsylvania was likely to go off so smoothly; but am much mortified to see the spirit manifested by

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TO JAMES MONROE.

J. MSS.

WASHINGTON, January 28, 1809.

DEAR SIR,—Your favor of the 18th was received in due time, and the answer has been delayed as well by a pressure of business, as by the expectation of your absence from Richmond.

The idea of sending a special mission to France or England is not entertained at all here. After so little attention to us from the former, and so insulting an answer from Canning, such a mark of respect as an extraordinary mission, would be a degradation against which all minds revolt here. The idea was hazarded in the House of Representatives a few days ago, by a member,

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the prisoners themselves as well as by those who participated in the parade of their liberation. One circumstance in it struck my attention disagreeably, but it admitted a different explanation. I trust that no section of republicans will countenance the suggestions of the Federalists that there has ever been any difference at all in our political principles, or any sensible one in our views of the public interest.

After a most distressing drought of 5 or 6 weeks we had on the 18th instant a very fine rain, followed by calm & tolerably warm weather, and yesterday & last night a plentiful rain has fallen again. The coldness & backwardness of the spring however had not advanced plants sufficiently to enable the planters to avail themselves of them as seasons. I tender always to Mrs. Madison my affectionate respects & to yourself the assurances of my constant & cordial attachment.

TO CHARLES CLAY.

MONTICELLO, Dec. 15, 09.

DEAR SIR,—This will be handed you by my son-in-law Mr. Randolph, with the integrity and honor of whose character you are already acquainted. An urgent occasion to raise a considerable sum of money in the course of a year, and a part of it (2,000 D.) within the month of January, has induced me to propose to him the curtailing the outskirts of my poplar forest lands, as the most probable means of effecting it. I did not know of this urgency when I had the pleasure of seeing you in Bedford or I would have set on foot this expedient with the benefit of more time if the first sum could not have been otherwise procured. Your knowledge of the value of the land, of the price it should command, as prices go with you, & of the characters who may be disposed to purchase & likely to fulfill their engagements, induces me to ask your friendly information, counsel & aid to him towards effecting his object, which will be cordially acknowledged by me as a great obligation, feeling as anxiously interested in his case as if it were my own. I pray you to be assured of my constant esteem & respect.

and an approbation expressed by another, but rejected indignantly by every other person who spoke, and very generally in conversation by all others; and I am satisfied such a proposition would get no vote in the Senate. The course the Legislature means to pursue, may be inferred from the act now passed for a meeting in May, and a proposition before them for repealing the embargo in June, and then resuming and maintaining by force our right of navigation. There will be considerable opposition to this last proposition, not only from the federalists, old and new, who oppose everything, but from sound members of the majority. Yet it is believed it will obtain a good majority, and that it is the only proposition which can be devised that could obtain a majority of any kind. Final propositions will, therefore, be soon despatched to both the belligerents through the resident ministers, so that their answers will be received before the meeting in May, and will decide what is to be done. This last trial for peace is not thought desperate. If, as is expected, Bonaparte should be successful in Spain, however every virtuous and liberal sentiment revolts at it, it may induce both powers to be more accommodating with us. England will see here the only asylum for her commerce and manufactures, worth more to her than her orders of council. And Bonaparte, having Spain at his feet, will look immediately to the Spanish colonies, and think our neutrality cheaply purchased by a repeal of the illegal parts of his decrees, with perhaps the Floridas thrown into the bargain. Should a change in the aspect of affairs in Europe produce this disposition in both powers, our peace and prosperity may be revived and long continue. Otherwise, we must again take the tented field, as we did in 1776 under more inauspicious circumstances.

There never has been a situation of the world before, in which such endeavors as we have made would not have secured our peace. It is probable there never will be such another. If we go to war now, I fear we may renounce forever the hope of seeing an end of our national debt. If we can keep at peace eight years longer, our income, liberated from debt, will be adequate to any war, without new taxes or loans, and our position and increasing strength put us *hors d'insulte* from any nation. I am now so near the moment of retiring, that I take no part in

affairs beyond the expression of an opinion. I think it fair that my successor should now originate those measures of which he will be charged with the execution and responsibility, and that it is my duty to clothe them with the forms of authority. Five weeks more will relieve me from a drudgery to which I am no longer equal, and restore me to a scene of tranquillity, amidst my family and friends, more congenial to my age and natural inclinations. In that situation, it will always be a pleasure to me to see you, and to repeat to you the assurances of my constant friendship and respect.

TO THOMAS MANN RANDOLPH. J. MSS.

WASHINGTON, February 7, 1809.

DEAR SIR,—I thought Congress had taken their ground firmly for continuing their embargo till June, and then war. But a sudden and unacountable revolution of opinion took place the last week, chiefly among the New England and New York members, and in a kind of panic they voted the 4th of March for removing the embargo, and by such a majority as gave all reason to believe they would not agree either to war or non-intercourse. This, too, was after we had become satisfied that the Essex Junto had found their expectation desperate, of inducing the people there to either separation or forcible opposition. The majority of Congress, however, has now rallied to the removing the embargo on the 4th of March, non-intercourse with *France* and *Great Britain*, trade everywhere else, and continuing war preparations. The further details are not yet settled, but I believe it is perfectly certain that the embargo will be taken off the 4th of March. Present my warmest affections to my dearest Martha, and the young ones, and accept the assurances of them to yourself.

TO BENJAMIN STODDERT. J. MSS.

WASHINGTON, February 18, 1809.

SIR,—Your favor of January 25th had been duly received, and I was waiting in the hope I might find a moment of less pressure in which I might answer it somewhat in detail, when that of the 14th inst. came to hand. Finding that, instead of any relaxation of business, it crowds more on me as I approach my departure, I can only indulge myself in a very brief reply. As to the rights of the United States as a neutral power, our opinions are very different, mine being that when two nations go to war, it does not abridge the rights of neutral nations but in the two articles of blockade and contraband of war. But on this subject we have both probably read and thought so much as to have made up our minds, and it is not likely that either can make a convert of the other. With respect to the interests of the United States in this exuberant commerce which is now bringing war on us, we concur perfectly. It brings us into collision with other powers in every sea, and will force us into every war of the European powers. The converting this great agricultural country into a city of Amsterdam,—a mere head-quarters for carrying on the commerce of all nations with one another, is too absurd. Yet this is the real object of the drawback system,—it enriches a few individuals, but lessens the stock of native productions, by withdrawing from them all the hands thus employed; it is essentially interesting to us to have shipping and seamen enough to carry our surplus produce to market; but beyond that, I do not think we are bound to give it encouragement by drawbacks or other premiums. I wish you may be right in supposing that the trading States would now be willing to give up the drawbacks, and to denationalize all ships taking foreign articles on board for any other destination than the United States, on being secured by discriminating duties, or otherwise in the exclusive carryage of the produce of the United States. I should doubt it. Were such a proposition to come *from them*, I presume it would meet with little difficulty. Otherwise, I suppose it must wait till peace, when the right of drawback will be less valued than the exclusive carryage of our own produce.

No apology was necessary for the letters you were so kind as to write me on this subject. I have always received with thankfulness the ideas of judicious persons on subjects interesting to the public. In the present case, I thought I should better fulfil your objects by communicating your letters to my successor, to whose views I have thought it my duty to give the lead, ever since his designation, as to all matters which he would have to execute. Nothing will probably be done on this subject in the few days between this and my retirement; and in that situation I shall certainly divorce myself from all part in political affairs. To get rid of them is the principal object of my retirement, and the first thing necessary to the happiness which, you justly observe, it is in vain to look for in any other situation. I pray you to accept my salutations, and assurances of respect.

TO HENRI GREGOIRE. J. MSS.

WASHINGTON, February 25, 1809.

SIR,—I have received the favor of your letter of August 17th, and with it the volume you were so kind as to send me on the "Literature of Negroes." Be assured that no person living wishes more sincerely than I do, to see a complete refutation of the doubts I have myself entertained and expressed on the grade of understanding allotted to them by nature, and to find that in this respect they are on a par with ourselves. My doubts were the result of personal observation on the limited sphere of my own State, where the opportunities for the development of their genius were not favorable, and those of exercising it still less so. I expressed them therefore with great hesitation; but whatever be their degree of talent it is no measure of their rights. Because Sir Isaac Newton was superior to others in understanding, he

was not therefore lord of the person or property of others. On this subject they are gaining daily in the opinions of nations, and hopeful advances are making towards their re-establishment on an equal footing with the other colors of the human family. I pray you therefore to accept my thanks for the many instances you have enabled me to observe of respectable intelligence in that race of men, which cannot fail to have effect in hastening the day of their relief; and to be assured of the sentiments of high and just esteem and consideration which I tender to yourself with all sincerity.

TO THOMAS MANN RANDOLPH. J. MSS.

WASHINGTON, February 28, 1809.

MY DEAR SIR,—By yesterday's mail I learn that it would be the desire of many of the good citizens of our country to meet me on the road on my return home, as a manifestation of their good will. But it is quite impossible for me to ascertain the day on which I shall leave this. The accumulated business at the close of a session will prevent my making any preparation for my departure till after the 4th of March. After that, the arrangement of papers and business to be delivered over to my successor, the winding up of my own affairs, and clearing out from this place, will employ me for several days, (I cannot conjecture even how many,) so as to render the commencement, and consequently the termination of my journey, altogether uncertain. But it is a sufficient happiness to me to know that my fellow-citizens of the country generally entertain for me the kind sentiments which have prompted this proposition, without giving to so many the trouble of leaving their homes to meet a single individual. I shall have opportunities of taking them individually by the hand at our court-house and other public places, and of exchanging

assurances of mutual esteem. Certainly it is the greatest consolation to me to know, that in returning to the bosom of my native country, I shall be again in the midst of their kind affections: and I can say with truth that my return to them will make me happier than I have been since I left them. Nothing will be wanting on my part to merit the continuance of their good will. The House of Representatives passed yesterday, by a vote of 81 to 40, the bill from the Senate repealing the embargo the 4th of March, except against Great Britain and France and their dependencies, establishing a non-intercourse with them, and having struck out the clause for letters of marque and reprisal, which it is thought the Senate will still endeavor to reinstate. I send you a paper containing the last Spanish news. Yours affectionately.

CIRCULAR LETTER.

J. MSS.

March, 1809.

The friendship which has long subsisted between the President of the United States and myself gave me reason to expect, on my retirement from office, that I might often receive applications to interpose with him on behalf of persons desiring appointments. Such an abuse of his dispositions towards me would necessarily lead to the loss of them, and to the transforming me from the character of a friend to that of an unreasonable & troublesome solicitor. It therefore became necessary for me to lay down as a law for my future conduct never to interpose in any case, either with him or the heads of departments (from whom it must go to him) in any application whatever for office. To this rule I must scrupulously adhere, for were I to depart from it in a single instance I could no longer plead it with truth to my friends in excuse for my not complying with their requests. I hope therefore that the declining it in the present, as in every other case, will be ascribed to its true cause, the obligation of this general law, & not to any disinclination existing in this particular case; & still less to an unwillingness to be useful to my friends on all occasions not forbidden by a special impropriety.

TO WILLIAM SHORT. J. MSS.

WASHINGTON, March 8, 1809.

DEAR SIR,—It is with much concern I inform you that the Senate has negatived your appointment. We thought it best to keep back the nomination to the close of the session, that the mission might remain secret as long as possible, which you know was our purpose from the beginning. It was then sent in with an explanation of its object and motives. We took for granted, if any hesitation should arise, that the Senate would take time, and that our friends in that body would make inquiries of us, and give us the opportunity of explaining and removing objections. But to our great surprise, and with an unexampled precipitancy, they rejected it at once. This reception of the last of my official communications to them, could not be unfelt, nor were the causes of it spoken out by them. Under this uncertainty, Mr. Madison, on his entering into office, proposed another person, (John Q. Adams.) He also was negatived, and they adjourned *sine die*. Our subsequent information was that, on your nomination, your long absence from this country, and their idea that you do not intend to return to it, had very sensible weight; but that all other motives were superseded by an unwillingness to extend our diplomatic connections, and a desire even to recall the foreign ministers we already have. All were sensible of the great virtues, the high character, the powerful influence, and valuable friendship of the emperor. But riveted to the system of unentanglement with Europe, they declined the proposition. On this subject you will receive the official explanations from Mr. Smith, the Secretary of State. I pray you to place me *rectus in curiâ* in this business with the emperor, and to assure him that I carry into my retirement the highest veneration for his virtues, and fondly cherish the belief that his dispositions and power are destined by heaven to better, in some degree at least, the condition of oppressed man.

I have nothing new to inform you as to your private friends or acquaintances. Our embargo has worked hard. It has in fact federalized three of the New England States. Connecticut you know was so before. We have substituted for it a non-

intercourse with France and England and their dependencies, and a trade to all other places. It is probable the belligerents will take our vessels under their edicts, in which case we shall probably declare war against them.

I write this in the midst of packing and preparing for my departure, of visits of leave, and interruptions of every kind. I must therefore conclude with my affectionate adieu to you, and assurances of my constant attachment and respect.

TO THE INHABITANTS OF ALBEMARLE COUNTY, IN VIRGINIA.

April 3, 1809.

Returning to the scenes of my birth and early life, to the society of those with whom I was raised, and who have been ever dear to me, I receive, fellow citizens and neighbors, with inexpressible pleasure, the cordial welcome you are so good as to give me. Long absent on duties which the history of a wonderful era made incumbent on those called to them, the pomp, the turmoil, the bustle and splendor of office, have drawn but deeper sighs for the tranquil and irresponsible occupations of private life, for the enjoyment of an affectionate intercourse with you, my neighbors and friends, and the endearments of family love, which nature has given us all, as the sweetener of every hour. For these I gladly lay down the distressing burthen of power, and seek, with my fellow citizens, repose and safety under the watchful cares, the labors, and perplexities of younger and abler minds. The anxieties you express to administer to my happiness, do, of themselves, confer that happiness; and the measure will be complete, if my endeavors to fulfil my duties in the several public stations to which I have been called, have obtained for me the approbation of my country. The part which I have acted on the theatre of public life, has been before them; and to their sentence I submit it; but the testimony of my native country, of the individuals who have known me in private life, to my conduct in its various duties and relations, is the more grateful, as proceeding from eye witnesses and observers, from triers of the

vicinage. Of you, then, my neighbors, I may ask, in the face of the world, "whose ox have I taken, or whom have I defrauded? Whom have I oppressed, or of whose hand have I received a bribe to blind mine eyes therewith?" On your verdict I rest with conscious security. Your wishes for my happiness are received with just sensibility, and I offer sincere prayers for your own welfare and prosperity.

TO JAMES MADISON. J. MSS.

MONTICELLO, April 19, 1809.

DEAR SIR,—I have to acknowledge your favor of the 9th, and to thank you for the political information it contained. Reading the newspapers but little and that little but as the romance of the day, a word of truth now and then comes like the drop of water on the tongue of Dives. If the British ministry are changing their policy towards us, it is because their nation, or rather the city of London, which is the nation to them, is shaken as usual, by the late reverses in Spain. I have for some time been persuaded that the government of England was systematically decided to claim a dominion of the sea, and to levy contributions on all nations, by their licenses to navigate, in order to maintain that dominion to which their own resources are inadequate. The mobs of their cities are unprincipled enough to support this policy in prosperous times, but change with the tide of fortune, and the ministers, to keep their places, change with them. I wish Mr. Oakley may not embarrass you with his conditions of revoking the orders of council. Enough of the non-importation law should be reserved, 1st, to pinch them into a relinquishment of impressments, and 2d, to support those manufacturing establishments which their orders, and our interests, forced us to make.

I suppose the conquest of Spain will soon force a delicate question on you as to the Floridas and Cuba, which will offer themselves to you. Napoleon will certainly give his consent without difficulty to our receiving the Floridas, and with some difficulty possibly Cuba. And though he will disregard the obligation whenever he thinks he can break it with success, yet it has a great effect on the opinion of our people and the world to have the

moral right on our side, of his agreement as well as that of the people of those countries.

Mr. Hackley's affair is really unfortunate. He has been driven into this arrangement by his distresses, which are great. He is a perfectly honest man, as is well known here where he was born, but unaccustomed to political subjects, he has not seen it in that view. But a respect for the innocence of his views cannot authorize the sanction of government to such an example. * * * *

TO WILSON CARY NICHOLAS. J. MSS.

MONTICELLO, May 25, 09.

DEAR SIR,—I am sorry to hear of your attack of rheumatism both on your own account & that of the public, & I think you will have to go on as soon as you are able. I believe that immediately on the pacification with England, a vessel was dispatched to France for the ultimatum of that government, as I presume. Turreau was earnest in giving assurances that Napoleon would revoke his decrees, considering Great Britain as having retraced her steps. But as a contrary answer is possible, I suppose Congress will await the return of the vessel. If she brings a determination to continue taking our vessels on the high seas, the question of war on our part cannot but be brought on, because on his part it is all the war he can wage, and we may as well receive the offers of the Floridas & Cuba, which will probably be made to us by their inhabitants. Should the Republican party think we might as well make war on our part also, they will for once probably have the concurrence of the federalists. This question is too important to admit of your absence, and the importance of giving good support to the new admn. is an additional reason for your going. As to the merits of the result of our measures against England, Mr. Madison is justly entitled to his full share of all the measures of my administration. Our principles were the same, and we never differed sensibly in the application of them. I am glad therefore that my enemies, & hope that my friends will do him justice as to this & all our other measures. We shall be happy to see you here on your passage, being affectionately & respectfully yours.

TO WILSON CARY NICHOLAS. J.MSS.

MONTICELLO, June 13, 1809.

DEAR SIR,—I did not know till Mr. Patterson called on us, a few days ago, that you had passed on to Washington. I had recently observed in the debates of Congress, a matter introduced, on which I wished to give explanations more fully in conversation, which I will now do by abridgement in writing. Mr. Randolph has proposed an inquiry into certain prosecutions at common law in Connecticut, for libels on the government, and not only himself but others have stated them with such affected caution, and such hints at the same time, as to leave on every mind the impression that they had been instituted either by my direction, or with my acquiescence, at least. This has not been denied by my friends, because probably the fact is unknown to them. I shall state it for their satisfaction, and leave it to be disposed of as they think best.

I had observed in a newspaper, (some years ago, I do not recollect the time exactly,) some dark hints of a prosecution in Connecticut, but so obscurely hinted that I paid little attention to it. Some considerable time after, it was again mentioned, so that I understood that some prosecution was going on in the federal court there, for calumnies uttered from the pulpit against me by a clergyman. I immediately wrote to Mr. Granger, who, I think, was in Connecticut at the time, stating that I had laid it down as a law to myself, to take no notice of the thousand calumnies issued against me, but to trust my character to my own conduct, and the good sense and candor of my fellow citizens; that I had found no reason to be dissatisfied with that course, and I was unwilling it should be broke through by others as to any matter concerning me; and I therefore requested him to desire the district attorney to dismiss the prosecution. Some time after this, I heard of subpœnas being served on General Lee, David M. Randolph, and others, as witnesses to attend the trial. I then for the first time conjectured the subject of the libel. I immediately wrote to Mr. Granger, to require an immediate dismission of the prosecution. The answer of Mr. Huntington, the district attorney, was, that these subpœnas had been

issued by the defendant without his knowledge, that it had been his intention to dismiss all the prosecutions at the first meeting of the court, and to accompany it with an avowal of his opinion, that they could not be maintained, because the federal court had no jurisdiction over libels. This was accordingly done. I did not till then know that there were other prosecutions of the same nature, nor do I now know what were their subjects. But all went off together; and I afterwards saw in the hands of Mr. Granger, a letter written by the clergyman, disavowing any personal ill will towards me, and solemnly declaring he had never uttered the words charged. I think Mr. Granger either showed me, or said there were affidavits of at least half a dozen respectable men, who were present at the sermon and swore no such expressions were uttered, and as many equally respectable who swore the contrary. But the clergyman expressed his gratification at the dismission of the prosecution. I write all this from memory, and after too long an interval of time to be certain of the exactness of all the details; but I am sure there is no variation material, and Mr. Granger, correcting small lapses of memory, can confirm everything substantial. Certain it is, that the prosecution had been instituted, and had made considerable progress, without my knowledge, that they were disapproved by me as soon as known, and directed to be discontinued. The attorney did it on the same ground on which I had acted myself in the cases of Duane, Callendar, and others; to wit, that the sedition law was unconstitutional and null, and that my obligation to execute what was law, involved that of not suffering rights secured by valid laws, to be prostrated by what was no law. I always understood that these prosecutions had been invited, if not instituted, by Judge Edwards, and the marshal being republican, had summoned a grand jury partly or wholly republican; but that Mr. Huntington declared from the beginning against the jurisdiction of the court, and had determined to enter *nolle prosequis* before he received my directions.

I trouble you with another subject. The law making my letters post free, goes to those *to me* only, not those *from* me. The bill had got to its passage before this was observed (and first I believe by Mr. Dana), and the House under too much pressure

of business near the close of the session to bring in another bill. As the privilege of freedom was given to the letters *from* as well as *to* both my predecessors, I suppose no reason exists for making a distinction. And in so extensive a correspondence as I am subject to, and still considerably on public matters, it would be a sensible convenience to myself, as well as those who have occasion to receive letters from me. It happens too, as I was told at the time, (for I have never looked into it myself,) that it was done by two distinct acts on both the former occasions. Mr. Eppes, I think, mentioned this to me. I know from the Post Master General, that Mr. Adams franks all his letters. I state this matter to you as being my representative, which must apologize for the trouble of it. We have been seasonable since you left us. Yesterday evening and this morning we have had refreshing showers, which will close and confirm the business of planting. Affectionately yours.

TO JAMES MADISON. J. MSS.

MONTICELLO, June 16, 09.

DEAR SIR,—I inclose you three letters from detained seamen which came to hand by the last post. Your favor of the 12th was received at the same time. The intelligence by the Pacific gives me great anxiety. When I consider the tenor of the new order of council & the official exposition of it by the Lords of trade to the London American merchants (in the inclosed paper) and compare it with the engagement of Erskine under instructions given two months before, I am at a loss from which we have most to fear, the folly or the faithlessness of the Cannings & Castlereaghs of the British ministry. Is it possible that to get themselves out of a former hobble they should have involved themselves in another so much more difficult? And yet if they mean to adhere to the new order, their instructions to Erskine to enter into engagements in direct opposition to it, would be such a wanton abandonment of all pretensions to common honesty as one would suppose no men could deliberately intend. Et cui bono? Merely to catch a partial supply by a temporary relaxation of our measures?

It seems impossible to believe either alternative, & yet the one or the other must be true? I presume it will produce some caution & hesitation in the proceedings of Congress. My joy on our supposed settlement is extremely damped by the occurrence of a trick so strange whatever solution may be given of it, and I fear a return of our difficulties, & it will be with increased force if they do recur. I sincerely wish a happy issue from them, for your own sake as well as for that of us all.

I am very happy in being enabled to relieve you from the disagreeable situation into which my improvidence had drawn your kind friendship. I felt severely the impropriety of dragging your name into the bank, as I had often been mortified with my own being there. But a too late attention to the state of my affairs at Washington had rendered it unavoidable. Mr. Barnes is now enabled to discharge my note at the bank, as well as a balance due to himself, and the separate account between you & myself may await your own entire convenience without in the least incommoding me, and I pray you to be assured of the sensibility with which I have experienced your kind accommodation to my difficulties.

For the last three days we have had fine & plentiful showers of rain, & were willing they should cease as appearances promised last night, but it commenced raining in the night & now continues with the wind at northeast. This may become dangerous to the wheat which at best can only be a middling crop. That of tobacco cannot become great if the observation of the planters is correct that there never was a great crop of tobacco which was not patched before the last of May. This year not a plant was in the ground till June: but the rains have been so favorable since that the whole crop is now standing & growing. I salute you with sincere affection & respect.

TO JAMES MADISON. J. MSS.

MONTICELLO, July 12, 1809.

DEAR SIR,—Your two letters of the 4th and 7th, were received by the last mail. I now enclose you the rough draught of the letter to the Emperor of Russia. I think there must be an exact

fac simile of it in the office, from which Mr. Short's must have been copied; because, that the one now enclosed has never been out of my hands, appears by there being no fold in the paper till now, and it is evidently a polygraphical copy. I send, for your perusal, letters of W. Short, and of Warden; because, though private, they contain some things and views perhaps not in the public letters. Bonaparte's successes have been what we expected, although Warden appears to have supposed the contrary possible. It is fortunate for Bonaparte, that he has not caught his brother Emperor; that he has left an ostensible head to the government, who may sell it to him to secure a mess of pottage for himself. Had the government devolved on the people, as it did in Spain, they would resist his conquest as those of Spain do. I expect, within a week or ten days, to visit Bedford. My absence will be of about a fortnight. I know too well the pressure of business which will be on you at Montpelier, to count with certainty on the pleasure of seeing Mrs. Madison and yourself here; yet my wishes do not permit me to omit the expression of them. In any event, I shall certainly intrude a flying visit on you during your stay in Orange. With my respectful devoirs to Mrs. Madison, I salute you with constant friendship and respect.

TO JOHN W. CAMPBELL. J. MSS.

MONTICELLO, September 3, 1809.

SIR,—Your letter of July 29th came to hand some time since, but I have not sooner been able to acknowledge it. In answer to your proposition for publishing a complete edition of my different writings, I must observe that no writings of mine, other than those merely official, have been published, except the Notes on Virginia and a small pamphlet under the title of a Summary View of the rights of British America. The Notes on Virginia, I have always intended to revise and enlarge, and have, from time to time, laid by materials for that purpose. It will be long yet before other occupations will permit me to digest them, and observations and inquiries are still to be made, which will be more correct in proportion to the length of time they are continued. It

is not unlikely that this may be through my life. I could not, therefore, at present, offer anything new for that work.

The Summary View was not written for publication. It was a draught I had prepared for a petition to the king, which I meant to propose in my place as a member of the convention of 1774. Being stopped on the road by sickness, I sent it on to the Speaker, who laid it on the table for the perusal of the members. It was thought too strong for the times, and to become the act of the convention, but was printed by subscription of the members, with a short preface written by one of them. If it had any merit, it was that of first taking our true ground, and that which was afterwards assumed and maintained.

I do not mention the Parliamentary Manual, published for the use of the Senate of the United States, because it was a mere compilation, into which nothing entered of my own but the arrangement, and a few observations necessary to explain that and some of the cases.

I do not know whether your view extends to official papers of mine which have been published. Many of these would be like old newspapers, materials for future historians, but no longer interesting to the readers of the day. They would consist of reports, correspondences, messages, answers to addresses; a few of my reports while Secretary of State, might perhaps be read by some as essays on abstract subjects. Such as the report on measures, weights and coins, on the mint, on the fisheries, on commerce, on the use of distilled sea-water, &c. The correspondences with the British and French ministers, Hammond and Genet, were published by Congress. The messages to Congress, which might have been interesting at the moment, would scarcely be read a second time, and answers to addresses are hardly read a first time.

So that on a review of these various materials, I see nothing encouraging a printer to a re-publication of them. They would probably be bought by those only who are in the habit of preserving State papers, and who are not many.

I say nothing of numerous draughts of reports, resolutions, declarations, &c., drawn as a Member of Congress or of the Legislature of Virginia, such as the Declaration of Independence,

Report on the Money Mint of the United States, the act of religious freedom, &c., &c.; these having become the acts of public bodies, there can be no personal claim to them, and they would no more find readers now, than the journals and statute books in which they are deposited.

I have presented this general view of the subjects which might have been within the scope of your contemplation, that they might be correctly estimated before any final decision. They belong mostly to a class of papers not calculated for popular reading, and not likely to offer profit, or even indemnification to the re-publisher. Submitting it to your consideration, I tender you my salutations and respects.

TO DON VALENTINE DE FORONDA. J. MSS.

MONTICELLO, October 4, 1809.

DEAR SIR,—Your favor of August the 26th came to hand in the succeeding month, and I have now to thank you for the pamphlet it contained. I have read it with pleasure, and find the constitution proposed would probably be as free as is consistent with hereditary institutions. It has one feature which I like much; that which provides that when the three co-ordinate branches differ in their construction of the constitution, the opinion of two branches shall overrule the third. Our constitution has not sufficiently solved this difficulty.

Among the multitude of characters with which public office leads us to official intercourse, we cannot fail to observe many, whose personal worth marks them as objects of particular esteem, whom we would wish to select for our society in private life. I avail myself gladly of the present occasion of assuring you that I was peculiarly impressed with your merit and talents, and that I have ever entertained for them a particular respect. To those whose views are single and direct, it is a great comfort to have to do business with frank and honorable minds. And here give me leave to make an avowal, for which, in my present retirement, there can be no motive but a regard for truth. Your predecessor, soured on a question of etiquette against the

administration of this country, wished to impute wrong to them in all their actions, even where he did not believe it himself. In this spirit, he wished it to be believed that we were in unjustifiable co-operation in Miranda's expedition. I solemnly, and on my personal truth and honor, declare to you, that this was entirely without foundation, and that there was neither co-operation, nor connivance on our part. He informed us he was about to attempt the liberation of his native country from bondage, and intimated a hope of our aid, or connivance at least. He was at once informed, that although we had great cause of complaint against Spain, and even of war, yet whenever we should think proper to act as her enemy, it should be openly and above board, and that our hostility should never be exercised by such petty means. We had no suspicion that he expected to engage men here, but merely to purchase military stores. Against this there was no law, nor consequently any authority for us to interpose obstacles. On the other hand, we deemed it improper to betray his voluntary communication to the agents of Spain. Although his measures were many days in preparation at New York, we never had the least intimation or suspicion of his engaging men in his enterprise, until he was gone; and I presume the secrecy of his proceeding kept them equally unknown to the Marquis Yrujo at Philadelphia, and the Spanish consul at New York, since neither of them gave us any information of the enlistment of men, until it was too late for any measures taken at Washington to prevent their departure. The officer in the Customs, who participated in this transaction with Miranda, we immediately removed, and should have had him and others fully punished, had it not been for the protection given them by private citizens at New York, in opposition to the government, who, by their impudent falsehoods and calumnies, were able to overbear the minds of the jurors. Be assured, Sir, that no motive could induce me, at this time, to make this declaration so gratuitously, were it not founded in sacred truth; and I will add further, that I never did, or countenanced, in public life, a single act inconsistent with the strictest good faith; having never believed there was one code of morality for a public, and another for a private man.

I receive, with great pleasure, the testimonies of personal esteem which breathes through your letter; and I pray you to accept those equally sincere with which I now salute you.

TO JOEL BARLOW. J. MSS.

MONTICELLO, October 8, 1809.

DEAR SIR,—It is long since I ought to have acknowledged the receipt of your most excellent oration on the 4th of July. I was doubting what you could say, equal to your own reputation on so hackneyed a subject; but you have really risen out of it with lustre, and pointed to others a field of great expansion. A day or two after I received your letter to Bishop Gregoire, a copy of his diatribe to you came to hand from France. I had not before heard of it. He must have been eagle-eyed in quest of offence, to have discovered ground for it among the rubbish massed together in the print he animadverts on. You have done right in giving him a sugary answer. But he did not deserve it. For, notwithstanding a compliment to you now and then, he constantly returns to the identification of your sentiments with the extravagances of the Revolutionary zealots. I believe him a very good man, with imagination enough to declaim eloquently, but without judgment to decide. He wrote to me also on the doubts I had expressed five or six and twenty years ago, in the Notes of Virginia, as to the grade of understanding of the negroes, and he sent me his book on the literature of the negroes. His credulity has made him gather up every story he could find of men of color, (without distinguishing whether black, or of what degree of mixture,) however slight the mention, or light the authority on which they are quoted. The whole do not amount, in point of evidence, to what we know ourselves of Banneker. We know he had spherical trigonometry enough to make almanacs, but not without the suspicion of aid from Ellicot, who was his neighbor and friend, and never missed an opportunity of puffing him. I have a long letter from Banneker, which shows him to have had a mind of very common stature indeed. As to Bishop Gregoire, I wrote him, as you have done, a very

soft answer. It was impossible for doubt to have been more tenderly or hesitatingly expressed than that was in the Notes of Virginia, and nothing was or is farther from my intentions, than to enlist myself as the champion of a fixed opinion, where I have only expressed a doubt. St. Domingo will, in time, throw light on the question.

I intended, ere this, to have sent you the papers I had promised you. But I have taken up Marshall's fifth volume, and mean to read it carefully, to correct what is wrong in it, and commit to writing such facts and annotations as the reading of that work will bring into my recollection, and which has not yet been put on paper; in this I shall be much aided by my memorandums and letters, and will send you both the old and the new.[1] But I

[1] The following are Jefferson's notes on fifth volume of Marshall's *Life of Washington:*

Page 2. "*The practicability of perpetuating his authority*," *&c.* I am satisfied that General Washington had not a wish to perpetuate his authority; but he who supposes it was practicable, had he wished it, knows nothing of the spirit of America, either of the people or of those who possessed their confidence. There was indeed a cabal of the officers of the army who proposed to establish a monarchy and to propose it to General Washington. He frowned indignantly at the proposition, [according to the information which got abroad,] and at Rufus King and some few civil characters, chiefly [indeed, I believe, to a man] north of Maryland, who joined in this intrigue. But they never dared openly to avow it, knowing that the spirit which had produced a change in the form of government was alive to the preservation of it.

Page 28. The member of Congress here alluded to was myself, and the extracts quoted, was part of a letter from myself in answer to one General Washington wrote. (See both.) General Washington called on me at Annapolis (where I then was a member of Congress), on his way to the meeting of the Cincinnati in Philadelphia. We had much conversation on the institution, which was chiefly an amplification of the sentiments in our letters, and, in conclusion, after I had stated to him the modifications which I thought might remove all jealousies, as well as dangers, and the parts which might still be retained, he appeared to make up his mind, and said: "No! not a fibre of it must be retained—no half-way reformation will suffice. If the thing be bad, it must be totally abolished." And he declared his determination to use his utmost endeavors to have it entirely abolished. On his return from Philadelphia he called on me again at Annapolis, and sat with me until a very late hour in the night, giving me an account of what passed in their convention. The sum of it was that he had exerted his whole influence in every way in his power to procure an abolition; that the opposition to it was extreme, and

go on very slowly. In truth, during the pleasant season, I am always out of doors, employed, not passing more time at my writing table than will despatch my current business. But when the weather becomes cold, I shall go out but little. I hope, therefore, to get through this volume during the ensuing winter; but should you want the papers sooner, they shall be sent at a mo-

especially from some of the younger members; but that after several days of struggle within doors and without, a general sentiment was obtained for its entire abolition. Whether any vote had been taken on it or not, I do not remember; but his affirmation to me was, that within a few days (I think he said two or three) it would have been formally abolished. Just in that moment arrived Major L'Enfant, who had been sent to France to procure the Eagles, and to offer the order to the French officers who had served in America. He brought the King's permission to his officers to accept it, the letters of thanks of these officers accepting it, letters of solicitation from other officers to obtain it, and the Eagles themselves. The effect of all this on the minds of the members was to undo much of what had been done; to rekindle all the passions which had produced the institution, and silence all the dictates of prudence, which had been operating for its abolition. After this, the General said, the utmost that could be effected was the modification which took place, and which provided for its extinction with the death of the existing members. He declined the Presidency, and, I think, Baron Steuben was appointed. I went soon after to France. While there, M. de Munier, charged with that part of the Encyclopedie Methodique which relates to economie politique and diplomatique, called on me with the article of that dictionary, "Etats Unis," which he had prepared ready for the press, and begged I would revise it and make any notes on it which I should think necessary towards rendering it correct. I furnished him most of the matter of his fifth, sixth, eighth, ninth, and tenth sections of the article "Etats Unis," with which, however, he intermixed some of his own. The ninth is that which relates to the Cincinnati. On this subject, the section, as prepared by him, was an unjust and incorrect Philippic against General Washington and the American officers in general. I wrote a substitute for it, which he adopted, but still retaining considerable of his own matter, and interspersing it in various parts.

Page 33. "*In a government constituted,*" *&c.* Here begins the artful complexion he has given to the two parties, Federal and Republican. In describing the first by their views and motives, he implies an opposition to those motives in their opponents which is totally untrue. The real difference consisted in their different degrees of inclination to Monarchy or Republicanism. The Federalists wished for everything which would approach our new government to a Monarchy. The Republicans to preserve it essentially Republican. This was the true origin of the division, and remains still the essential principle of difference between the two parties.

ment's warning. The ride from Washington to Monticello in the stage, or in a gig, is so easy that I had hoped you would have taken a flight here during the season of good roads. Whenever Mrs. Barlow is well enough to join you in such a visit, it must be taken more at ease. It will give us real pleasure whenever it may take place. I pray you to present me to her respectfully, and I salute you affectionately.

TO ALBERT GALLATIN. J. MSS.

MONTICELLO, October 11, 1809.

DEAR SIR,—I do not know whether the request of Monsieur Moussier, explained in the enclosed letter, is grantable or not. But my partialities in favor of whatever may promote either the useful or liberal arts, induce me to place it under your consideration, to do in it whatever is right, neither more nor less. I would then ask you to favor me with three lines, in such form as I may forward him by way of answer.

I have reflected much and painfully on the change of dispositions which has taken place among the members of the cabinet, since the new arrangement, as you stated to me in the moment of our separation. It would be, indeed, a great public calamity were it to fix you in the purpose which you seemed to think possible. I consider the fortunes of our republic as depending, in an eminent degree, on the extinguishment of the public debt before we engage in any war: because, that done, we shall have revenue enough to improve our country in peace and defend it in war, without recurring either to new taxes or loans. But if the debt should once more be swelled to a formidable size, its entire discharge will be despaired of, and we shall be committed to the English career of debt, corruption and rottenness, closing with revolution. The discharge of the debt, therefore, is vital to the destinies of our government, and it hangs on Mr. Madison and yourself alone. We shall never see another President and Secretary of the Treasury making all other objects subordinate to this. Were either of you to be lost to the public, that great hope is lost. I had always cherished the idea that you would fix on that

object the measure of your fame, and of the gratitude which our country will owe you. Nor can I yield up this prospect to the secondary considerations which assail your tranquillity. For sure I am, they never can produce any other serious effect. Your value is too justly estimated by our fellow citizens at large, as well as their functionaries, to admit any remissness in their support of you. My opinion always was, that none of us ever occupied stronger ground in the esteem of Congress than yourself, and I am satisfied there is no one who does not feel your aid to be still as important for the future as it has been for the past. You have nothing, therefore, to apprehend in the dispositions of Congress, and still less of the President, who, above all men, is the most interested and affectionately disposed to support you. I hope, then, you will abandon entirely the idea you expressed to me, and that you will consider the eight years to come as essential to your political career. I should certainly consider any earlier day of your retirement, as the most inauspicious day our new government has ever seen. In addition to the common interest in this question, I feel particularly for myself the considerations of gratitude which I personally owe you for your valuable aid during my administration of public affairs, a just sense of the large portion of the public approbation which was earned by your labors and belongs to you, and the sincere friendship and attachment which grew out of our joint exertions to promote the common good; and of which I pray you now to accept the most cordial and respectful assurances.

TO JAMES MADISON. J. MSS.

MONTICELLO, November 30, 1809.

DEAR SIR,—I received last night yours of the 27th, and rode this morning to Col. Monroe's. I found him preparing to set out to-morrow morning for London, from whence he will not return till Christmas. I had an hour or two's frank conversation with him. The catastrophe of poor Lewis served to lead us to the point intended. I reminded him that in the letter I wrote to him while in Europe, proposing the Government of Orleans, I also

suggested that of Louisiana, if fears for health should be opposed to the other. I said something on the importance of the post, its advantages, &c.—expressed my regret at the curtain which seemed to be drawn between him and his best friends, and my wish to see his talents and integrity engaged in the service of his country again, and that his going into any post would be a signal of reconciliation, on which the body of republicans, who lamented his absence from the public service, would again rally to him. These are the general heads of what I said to him in the course of our conversation. The sum of his answers was, that to accept of that office was incompatible with the respect he owed himself; that he never would act in any office where he should be subordinate to any body but the President himself, or which did not place his responsibility substantially with the President and the nation; that at your accession to the chair, he would have accepted a place in the cabinet, and would have exerted his endeavors most faithfully in support of your fame and measures; that he is not unready to serve the public, and especially in the case of any difficult crisis in our affairs; that he is satisfied that such is the deadly hatred of both France and England, and such their self reproach and dread at the spectacle of such a government as ours, that they will spare nothing to destroy it; that nothing but a firm union among the whole body of republicans can save it, and therefore that no schism should be indulged on any ground; that in his present situation, he is sincere in his anxieties for the success of the administration, and in his support of it as far as the limited sphere of his action or influence extends; that his influence to this end had been used with those with whom the world had ascribed to him an interest he did not possess, until, whatever it was, it was lost, (he particularly named J. Randolph, who, he said, had plans of his own, on which he took no advice;) and that he was now pursuing what he believed his properest occupation, devoting his whole time and faculties to the liberation of his pecuniary embarrassments, which, three years of close attention, he hoped, would effect. In order to know more exactly what were the kinds of employ he would accept, I adverted to the information of the papers, which came yesterday, that Gen. Hampton was dead, but observed that

the military life in our present state, offered nothing which could operate on the principle of patriotism; he said he would sooner be shot than take a command under Wilkinson. In this sketch, I have given truly the substance of his ideas, but not always his own words. On the whole, I conclude he would accept a place in the cabinet, or a military command dependent on the Executive alone, and I rather suppose a diplomatic mission, because it would fall within the scope of his views, and not because he said so, for no allusion was made to anything of that kind in our conversation. Everything from him breathed the purest patriotism, involving, however, a close attention to his own honor and grade. He expressed himself with the utmost devotion to the interests of our own country, and I am satisfied he will pursue them with honor and zeal in any character in which he shall be willing to act.

I have thus gone far beyond the single view of your letter, that you may, under any circumstances, form a just estimate of what he would be disposed to do. God bless you, and carry you safely through all your difficulties.

TO JOHN WAYLES EPPES. J. MSS.

MONTICELLO, January 17, 1810.

DEAR SIR,—Yours of the 10th came safely to hand, and I now enclose you a letter from Francis; he continues in excellent health, and employs his time well. He has written to his mamma and grandmamma. I observe that the H. of R. are sensible of the ill effects of the long speeches in their house on their proceedings. But they have a worse effect in the disgust they excite among the people, and the disposition they are producing to transfer their confidence from the legislature to the executive branch, which would soon sap our constitution. These speeches, therefore, are less and less read, and if continued will cease to be read at all. The models for that oratory which is to produce the greatest effect by securing the attention of hearers and readers, are to be found in Livy, Tacitus, Sallust, and most assuredly not in Cicero. I doubt if there is a man in the world who can now

read one of his orations through but as a piece of task-work. I observe the house is endeavoring to remedy the eternal protraction of debate by setting up all night, or by the use of the Previous Question. Both will subject them to the most serious inconvenience. The latter may be turned upon themselves by a trick of their adversaries. I have thought that such a rule as the following would be more effectual and less inconvenient.

"Resolved that at [viii.] o'clock in the evening (whenever the house shall be in session at that hour) it shall be the duty of the Speaker to declare that hour arrived, whereupon all debate shall cease. If there be then before the house a main question for the reading or passing of a bill, resolution or order, such main question shall immediately be put by the Speaker, and decided by yeas and nays.

"If the question before the house be secondary, as for amendment, commitment, postponement, adjournment of the debate or question, laying on the table, reading papers, or a previous question, such secondary, [or any other which may delay the main question,] shall stand *ipso facto* discharged, and the main question shall then be before the house, and shall be immediately put and decided by yeas and nays. But a motion for adjournment of the house, may once and once only, take place of the main question, and if decided in the negative, the main question shall then be put as before. Should any question of order arise, it shall be decided by the Speaker instanter, and without debate or appeal; and questions of privilege arising, shall be postponed till the main question be decided. Messages from the President or Senate may be received but not acted on till after the decision of the main question. But this rule shall be suspended during the [three] last days of the session of Congress."

No doubt this, on investigation, will be found to need amendment; but I think the principle of it better adapted to meet the evil than any other which has occurred to me. You can consider and decide upon it, however, and make what use of it you please, only keeping the source of it to yourself. Ever affectionately yours.

TO JOEL BARLOW. J. MSS.

MONTICELLO, January 24, 1810.

DEAR SIR,—Yours of the 15th is received, and I am disconsolate on learning my mistake as to your having a dynamometer. My object being to bring a plough to be made here to the same standard of comparison by which Guillaume's has been proved,

nothing less would be satisfactory than an instrument made by the same standard. I must import one, therefore, but how, in the present state of non-intercourse, is the difficulty. I do not know Dr. Mason personally, but by character well. He is the most red-hot federalist, famous, or rather infamous for the lying and slandering which he vomited from the pulpit in the political harangues with which he polluted the place. I was honored with much of it. He is a man who can prove everything if you will take his word for proof. Such evidence of Hamilton's being a republican he may bring; but Mr. Adams, Edmund Randolph, and myself, could repeat an explicit declaration of Hamilton's against which Dr. Mason's proofs would weigh nothing.

I am sorry to learn that your rural occupations impede so much the progress of your much to be desired work. You owe to republicanism, and indeed to the future hopes of man, a faithful record of the *march* of this government, which may encourage the oppressed to go and do so likewise. Your talents, your principles, and your means of access to public and private sources of information, with the leisure which is at your command, point you out as the person who is to do this act of justice to those who believe in the improvability of the condition of man, and who have acted on that behalf, in opposition to those who consider man as a beast of burthen made to be rode by him who has genius enough to get a bridle into his mouth. The dissensions between two members of the Cabinet are to be lamented. But why should these force Mr. Gallatin to withdraw? They cannot be greater than between Hamilton and myself, and yet we served together four years in that way. We had indeed no personal dissensions. Each of us, perhaps, thought well of the other as a man, but as politicians it was impossible for two men to be of more opposite principles. The method of separate consultation, practised sometimes in the Cabinet, prevents disagreeable collisions.

You ask my opinion of Maine. I think him a most excellent man. Sober, industrious, intelligent and conscientious. But, in the difficulty of changing a nursery establishment, I suspect you will find an insurmountable obstacle to his removal. Present me respectfully to Mrs. Barlow, and be assured of my constant and affectionate esteem.

P. S. The day before yesterday the mercury was at 5½° with us, a very uncommon degree of cold here. It gave us the first ice for the ice house.

TO J. GARLAND JEFFERSON. J. MSS.

MONTICELLO, January 25, 1810.

DEAR SIR,—Your favor of December 12th was long coming to hand. I am much concerned to learn that any disagreeable impression was made on your mind, by the circumstances which are the subject of your letter. Permit me first to explain the principles which I had laid down for my own observance. In a government like ours, it is the duty of the Chief Magistrate, in order to enable himself to do all the good which his station requires, to endeavor, by all honorable means, to unite in himself the confidence of the whole people. This alone, in any case where the energy of the nation is required, can produce a union of the powers of the whole, and point them in a single direction, as if all constituted but one body and one mind, and this alone can render a weaker nation unconquerable by a stronger one. Towards acquiring the confidence of the people, the very first measure is to satisfy them of his disinterestedness, and that he is directing their affairs with a single eye to their good, and not to build up fortunes for himself and family, and especially, that the officers appointed to transact their business, are appointed because they are the fittest men, not because they are his relations. So prone are they to suspicion, that where a President appoints a relation of his own, however worthy, they will believe that favor and not merit was the motive. I therefore laid it down as a law of conduct for myself, never to give an appointment to a relation. Had I felt any hesitation in adopting this rule, examples were not wanting to admonish me what to do and what to avoid. Still, the expression of your willingness to act in any office for which you were qualified, could not be imputed to you as blame. It would not readily occur that a person qualified for office ought to be rejected merely because he was related to the President, and the then more recent examples favored the other opinion. In this light I considered the case as presenting itself to your mind, and

that the application might be perfectly justifiable on your part, while, for reasons occurring to none perhaps, but the person in my situation, the public interest might render it unadvisable. Of this, however, be assured that I consider the proposition as innocent on your part, and that it never lessened my esteem for you, or the interest I felt in your welfare.

My stay in Amelia was too short, (only twenty-four hours,) to expect the pleasure of seeing you there. It would be a happiness to me any where, but especially here, from whence I am rarely absent. I am leading a life of considerable activity as a farmer, reading little and writing less. Something pursued with ardor is necessary to guard us from the *tedium-vitæ*, and the active pursuits lessen most our sense of the infirmities of age. That to the health of youth you may add an old age of vigor, is the sincere prayer of Yours, affectionately.

TO CÆSAR A. RODNEY. J. MSS.

MONTICELLO, February 10, 1810.

MY DEAR SIR,—I have to thank you for your favor of the 31st ultimo, which is just now received. It has been peculiarly unfortunate for us, personally, that the portion in the history of mankind, at which we were called to take a share in the direction of their affairs, was such an one as history has never before presented. At any other period, the even-handed justice we have observed towards all nations, the efforts we have made to merit their esteem by every act which candor or liberality could exercise, would have preserved our peace, and secured the unqualified confidence of all other nations in our faith and probity. But the hurricane which is now blasting the world, physical and moral, has prostrated all the mounds of reason as well as right. All those calculations which, at any other period, would have been deemed honorable, of the existence of a moral sense in man, individually or associated, of the connection which the laws of nature have established between his duties and his interests, of a regard for honest fame and the esteem of our fellow men, have been a matter of reproach on us, as evidences of imbecility. As if it could be a folly for an

honest man to suppose that others could be honest also, when it is their interest to be so. And when is this state of things to end? The death of Bonaparte would, to be sure, remove the first and chiefest apostle of the desolation of men and morals, and might withdraw the scourge of the land. But what is to restore order and safety on the ocean? The death of George III? Not at all. He is only stupid; and his ministers, however weak and profligate in morals, are ephemeral. But his nation is permanent, and it is that which is the tyrant of the ocean. The principle that force is right, is become the principle of the nation itself. They would not permit an honest minister, were accident to bring such an one into power, to relax their system of lawless piracy. These were the difficulties when I was with you. I know they are not lessened, and I pity you.

It is a blessing, however, that our people are reasonable; that they are kept so well informed of the state of things as to judge for themselves, to see the true sources of their difficulties, and to maintain their confidence undiminished in the wisdom and integrity of their functionaries. *Macte virtute* therefore. Continue to go straight forward, pursuing always that which is right, as the only clue which can lead us out of the labyrinth. Let nothing be spared of either reason or passion, to preserve the public confidence entire, as the only rock of our safety. In times of peace the people look most to their representatives; but in war, to the executive solely. It is visible that their confidence is even now veering in that direction; that they are looking to the executive to give the proper direction to their affairs, with a confidence as auspicious as it is well founded.

I avail myself of this, the first occasion of writing to you, to express all the depth of my affection for you; the sense I entertain of your faithful co-operation in my late labors, and the debt I owe for the valuable aid I received from you. Though separated from my fellow laborers in place and pursuit, my affections are with you all, and I offer daily prayers that ye love one another, as I love you. God bless you.

TO DOCTOR WALTER JONES. J. MSS.

MONTICELLO, March 5, 1810.

DEAR SIR,—I received duly your favor of the 19th ultimo, and I salute you with all ancient and recent recollections of friendship. I have learned, with real sorrow, that circumstances have arisen among our executive counsellors, which have rendered foes those who once were friends. To themselves it will be a source of infinite pain and vexation, and therefore chiefly I lament it, for I have a sincere esteem for both parties. To the President it will be really inconvenient; but to the nation I do not know that it can do serious injury, unless we were to believe the newspapers, which pretend that Mr. Gallatin will go out. That indeed would be a day of mourning for the United States; but I hope that the position of both gentlemen may be made so easy as to give no cause for either to withdraw. The ordinary business of every day is done by consultation between the President and the Head of the department alone to which it belongs. For measures of importance or difficulty, a consultation is held with the Heads of departments, either assembled, or by taking their opinions separately in conversation or in writing. The latter is most strictly in the spirit of the constitution. Because the President, on weighing the advice of all, is left free to make up an opinion for himself. In this way they are not brought together, and it is not necessarily known to any what opinion the others have given. This was General Washington's practice for the first two or three years of his administration, till the affairs of France and England threatened to embroil us, and rendered consideration and discussion desirable. In these discussions, Hamilton and myself were daily pitted in the cabinet like two cocks. We were then but four in number, and, according to the majority, which of course was three to one, the President decided. The pain was for Hamilton and myself, but the public experienced no inconvenience. I practised this last method, because the harmony was so cordial among us all, that we never failed, by a contribution of mutual views on the subject, to form an opinion acceptable to the whole. I think there never was one instance to the contrary, in any case of consequence. Yet this does, in fact, transform the

executive into a directory, and I hold the other method to be more constitutional. It is better calculated too to prevent collision and irritation, and to cure it, or at least suppress its effects when it has already taken place. It is the obvious and sufficient remedy in the present case, and will doubtless be resorted to.

Our difficulties are indeed great, if we consider ourselves alone. But when viewed in comparison to those of Europe, they are the joys of Paradise. In the eternal revolution of ages, the destinies have placed our portion of existence amidst such scenes of tumult and outrage, as no other period, within our knowledge, had presented. Every government but one on the continent of Europe, demolished, a conqueror roaming over the earth with havoc and destruction, a pirate spreading misery and ruin over the face of the ocean. Indeed, my friend, ours is a bed of roses. And the system of government which shall keep us afloat amidst the wreck of the world, will be immortalized in history. We have, to be sure, our petty squabbles and heart burnings, and we have something of the blue devils at times, as to these raw heads and bloody bones who are eating up other nations. But happily for us, the Mammoth cannot swim, nor the Leviathan move on dry land; and if we will keep out of their way, they cannot get at us. If, indeed, we choose to place ourselves within the scope of their tether, a gripe of the paw, or flounce of the tail, may be our fortune. Our business certainly was to be still. But a part of our nation chose to declare against this, in such a way as to control the wisdom of the government. I yielded with others, to avoid a greater evil. But from that moment, I have seen no system which could keep us entirely aloof from these agents of destruction. If there be any, I am certain that you, my friends, now charged with the care of us all, will see and pursue it. I give myself, therefore, no trouble with thinking or puzzling about it. Being confident in my watchmen I sleep soundly. God bless you all, and send you a safe deliverance.

TO JAMES MADISON. J. MSS.

MONTICELLO May 25 10

DEAR SIR,—I inclose you the extract of a letter from Govr Tyler which will explain itself, and I do it on the same principle

on which I have sometimes done the same thing before, that whenever you are called on to select, you may have under consideration all those who may properly be thought of & the grounds of their pretensions. From what I can learn Griffin cannot stand it long, and really the state has suffered long enough by having such a cypher in so important an office, and infinitely the more from the want of any counterpoint to the rancorous hatred which Marshal bears to the government of his country, & from the cunning & sophistry within which he is able to enshroud himself. It will be difficult to find a character of firmess enough to preserve his independance on the same bench with Marshall. Tyler, I am certain, would do it. He is an able & well read lawyer, about 59 years of age: He was popular as a judge, & is remarkably so as a governor, for his incorruptible integrity, which no circumstances have ever been able to turn from it's course. Indeed I think there is scarcely a person in the state so solidly popular, or who would be so much approved for that place. A milk & water character in that office would be seen as a calamity. Tyler having been the former state judge of that court too, and removed to make way for so wretched a fool as Griffin has a kind of right of reclamation, with the advantage of repeated elections by the legislature, as admiralty judge, circuit judge, & Governor. But of all these things you will judge fairly between him & his competitors. You have seen in the papers that Livingston has served a writ on me, stating damages at 100,000. D. The ground is not yet explained, but it is understood to be the batture. I have engaged Wirt, Hay, & Wickham as counsel. I shall soon look into my papers to make a state of the case to enable them to plead: and as much of our proceedings was never committed to writing, and my memory cannot be trusted, it is probable I shall have to appeal to that of my associates in the proceedings. I believe that what I did was in harmony with the opinion of all the members of the administration, verbally expressed altho' not in writing. I have been delighted to see the effect of Monroe's late visit to Washington on his mind. There appears to be the most perfect reconciliation & cordiality established towards yourself. I think him now inclined to rejoin us with zeal. The only embarrassment will be from his late friends. But I think he has firmness of mind

enough to act independently as to them. The next session of our legislature will shew.

We are suffering under a most severe drought of now 3. weeks continuance. Late sown wheat is yellow but the oats suffer especially. In speaking of Livingston's suit, I omitted to observe that it is a little doubted that his knolege of Marshall's character has induced him to bring this action. His twistifications in the case of Marbury, in that of Burr, & the late Yazoo case shew how dexterously he can reconcile law to his personal biasses: and nobody seems to doubt that he is ready prepared to decide that Livingston's right to the batture is unquestionable, and that I am bound to pay for it with my private fortune. Ever affectionately yours.[1]

TO HENRY DEARBORN.[2]

MONTICELLO July 16. 10.

DEAR GENERAL & FRIEND,—Your favor of May 31. was duly received, and I join in congratulations with you on the resurrection of republican principles in Massachusetts & N. Hampshire, and the hope that the professors of these principles will not again

[1] On the subject of this vacancy in the Supreme Court, Jefferson further wrote to Judge John Tyler:

MONTICELLO, May 26, 1810.

DEAR SIR,—Your friendly letter of the 12th has been duly received. Although I have laid it down as a law to myself, never to embarrass the President with my solicitations, and have not till now broken through it, yet I have made a part of your letter the subject of one to him, and have done it with all my heart, and in the full belief that I serve him and the public in urging that appointment. We have long enough suffered under the base prostitution of law to party passions in one judge, and the imbecility of another. In the hands of one the law is nothing more than an ambiguous text, to be explained by his sophistry into any meaning which may subserve his personal malice. Nor can any milk-and-water associate maintain his own dependance, and by a firm pursuance of what the law really is, extend its protection to the citizens or the public. I believe you will do it, and where you cannot induce your colleague to do what is right, you will be firm enough to hinder him from doing what is wrong, and by opposing sense to sophistry, leave the juries free to follow their own judgment.

I have long lamented with you the depreciation of law science. The opinion seems to be that Blackstone is to us what the Alcoran is to the Mahometans,

[2] From a copy courteously furnished by Dr. J. S. H. Fogg, of Boston.

easily be driven off their ground. The federalists, during their short lived ascendancy, have nevertheless, by forcing us from the embargo, inflicted a wound on our interests which can never be cured, & on our affections which will require time to cicatrise. I ascribe all this to one pseudo-republican, Story. He came on (in place of Crownenshield I believe) and staid only a few days, long enough however to get complete hold of Bacon, who giving into his representations, became panick struck, & communicated his panick to his colleagues & they to a majority of the sound members of Congress. They believed in the alternative of repeal or civil war, and produced the fatal measure of repeal. This is the immediate parent of all our present evils, and has reduced us to a low standing in the eyes of the world. I should think that even the federalists themselves must now be made, by their feelings, sensible of their error. The wealth which the embargo brought home safely, has now been thrown back into the laps of our enemies; and our navigation completely crushed, and by the unwise & unpatriotic conduct of those engaged in it, should the orders prove genuine which are said to have been given against our fisheries, they too are gone; and if not true as yet, they will be true on the first breeze of success which England shall feel: for

that everything which is necessary is in him, and what is not in him is not necessary. I still lend my counsel and books to such young students as will fix themselves in the neighborhood. Coke's institutes and reports are their first, and Blackstone their last book, after an intermediate course of two or three years. It is nothing more than an elegant digest of what they will then have acquired from the real fountains of the law. Now men are born scholars, lawyers, doctors; in our day this was confined to poets. You wish to see me again in the legislature, but this is impossible; my mind is now so dissolved in tranquillity, that it can never again encounter a contentious assembly; the habits of thinking and speaking off-hand, after a disuse of five and twenty years, have given place to the slower process of the pen. I have indeed two great measures at heart, without which no republic can maintain itself in strength. 1. That of general education, to enable every man to judge for himself what will secure or endanger his freedom. 2. To divide every county into hundreds, of such size that all the children of each will be within reach of a central school in it. But this division looks to many other fundamental provisions. Every hundred, besides a school, should have a justice of the peace, a constable and a captain of militia. These officers, or some others within the hundred, should be a corporation to manage all its concerns, to take care of its roads, its poor,

it has now been some years that I am perfectly satisfied her intentions have been to claim the ocean as her conquest, & prohibit any vessel from navigating it but on such a tribute as may enable her to keep up such a standing navy as will maintain her dominion over it. She has hauled in, or let herself out, been bold or hesitating according to occurrences, but has in no situation done anything which might amount to an acknowledged relinquishment of her intentions. I have ever been anxious to avoid a war with England, unless forced by a situation more losing than war itself, but I did believe we could coerce her to justice by peaceable means, and the embargo, evaded as it was proved it would have coerced her, had it been honestly executed. The proof she exhibited on that occasion, that she can exercise such an influence in this country as to controul the will of it's government & three fourths of it's people, and oblige the three fourths to submit to one fourth, is to me the most mortifying circumstance which has occurred since the establishment of our government. The only prospect I see of lessening that influence is in her own conduct, & not from any thing in our power. Radically hostile to our navigation and commerce, and fearing its rivalry, she will compleatly crush it, and force us to resort to agriculture, not aware that we shall resort to manufactures also, & render her conquest

and its police by patrols, &c., (as the select men of the Eastern townships.) Every hundred should elect one or two jurors to serve where requisite, and all other elections should be made in the hundreds separately, and the votes of all the hundreds be brought together. Our present Captaincies might be declared hundreds for the present, with a power to the courts to alter them occasionally. These little republics would be the main strength of the great one. We owe to them the vigor given to our revolution in its commencement in the Eastern States, and by them the Eastern States were enabled to repeal the embargo in opposition to the Middle, Southern and Western States, and their large and lubberly division into counties which can never be assembled. General orders are given out from a centre to the foreman of every hundred, as to the sergeants of an army, and the whole nation is thrown into energetic action, in the same direction in one instant and as one man, and becomes absolutely irresistible. Could I once see this I should consider it as the dawn of the salvation of the republic, and say with old Simeon, "nunc dimittas Domine." But our children will be as wise as we are, and will establish in the fulness of time those things not yet ripe for establishment. So be it, and to yourself health, happiness and long life.

over our navigation & commerce useless at least, if not injurious to herself in the end, and perhaps salutary to us, as removing out of our way the chief causes & provocations to war.—But these are views which concern the present and future generations, among neither of which I count myself.

You may live to see the change in our pursuits, & chiefly in those of your own state, which England will effect. I am not certain that the change on Massachusetts, by driving her to agriculture, manufactures & emigration will lessen her happiness.—But, once more, to be done with politics—How does Mrs Dearborne do?—How do you both like your situation?—Do you amuse yourself with a garden, a farm, or what?—That your pursuits, whatever they be, may make you both easy, healthy & happy is the prayer of your sincere friend.

TO JOHN B. COLVIN. J. MSS.

MONTICELLO, September 20, 1810.

SIR,—Your favor of the 14th has been duly received, and I have to thank you for the many obliging things respecting myself which are said in it. If I have left in the breasts of my fellow citizens a sentiment of satisfaction with my conduct in the transaction of their business, it will soften the pillow of my repose through the residue of life.

The question you propose, whether circumstances do not sometimes occur, which make it a duty in officers of high trust, to assume authorities beyond the law, is easy of solution in principle, but sometimes embarrassing in practice. A strict observance of the written laws is doubtless *one* of the high duties of a good citizen, but it is not *the highest*. The laws of necessity, of self-preservation, of saving our country when in danger, are of higher obligation. To lose our country by a scrupulous adherence to written law, would be to lose the law itself, with life, liberty, property and all those who are enjoying them with us; thus absurdly sacrificing the end to the means. When, in the battle of Germantown, General Washington's army was annoyed from Chew's house, he did not hesitate to plant his cannon against it, although the property of a citizen. When he besieged Yorktown,

he leveled the suburbs, feeling that the laws of property must be postponed to the safety of the nation. While the army was before York, the Governor of Virginia took horses, carriages, provisions and even men by force, to enable that army to stay together till it could master the public enemy; and he was justified. A ship at sea in distress for provisions, meets another having abundance, yet refusing a supply; the law of self-preservation authorizes the distressed to take a supply by force. In all these cases, the unwritten laws of necessity, of self-preservation, and of the public safety, control the written laws of *meum* and *tuum*. Further to exemplify the principle, I will state an hypothetical case. Suppose it had been made known to the Executive of the Union in the autumn of 1805, that we might have the Floridas for a reasonable sum, that that sum had not indeed been so appropriated by law, but that Congress were to meet within three weeks, and might appropriate it on the first or second day of their session. Ought he, for so great an advantage to his country, to have risked himself by transcending the law and making the purchase? The public advantage offered, in this supposed case, was indeed immense; but a reverence for law, and the probability that the advantage might still be *legally* accomplished by a delay of only three weeks, were powerful reasons against hazarding the act. But suppose it foreseen that a John Randolph would find means to protract the proceeding on it by Congress, until the ensuing spring, by which time new circumstances would change the mind of the other party. Ought the Executive, in that case, and with that foreknowledge, to have secured the good to his country, and to have trusted to their justice for the transgression of the law? I think he ought, and that the act would have been approved. After the affair of the Chesapeake, we thought war a very possible result. Our magazines were illy provided with some necessary articles, nor had any appropriations been made for their purchase. We ventured, however, to provide them, and to place our country in safety; and stating the case to Congress, they sanctioned the act.

To proceed to the conspiracy of Burr, and particularly to General Wilkinson's situation in New Orleans. In judging this case, we are bound to consider the state of the information, correct

and incorrect, which he then possessed. He expected Burr and his band from above, a British fleet from below, and he knew there was a formidable conspiracy within the city. Under these circumstances, was he justifiable, 1st, in seizing notorious conspirators? On this there can be but two opinions; one, of the guilty and their accomplices; the other, that of all honest men. 2d. In sending them to the seat of government, when the written law gave them a right to trial in the territory? The danger of their rescue, of their continuing their machinations, the tardiness and weakness of the law, apathy of the judges, active patronage of the whole tribe of lawyers, unknown disposition of the juries, an hourly expectation of the enemy, salvation of the city, and of the Union itself, which would have been convulsed to its centre, had that conspiracy succeeded; all these constituted a law of necessity and self-preservation, and rendered the *salus populi* supreme over the written law. The officer who is called to act on this superior ground, does indeed risk himself on the justice of the controlling powers of the constitution, and his station makes it his duty to incur that risk. But those controlling powers, and his fellow citizens generally, are bound to judge according to the circumstances under which he acted. They are not to transfer the information of this place or moment to the time and place of his action; but to put themselves into his situation. We knew here that there never was danger of a British fleet from below, and that Burr's band was crushed before it reached the Mississippi. But General Wilkinson's information was very different, and he could act on no other.

From these examples and principles you may see what I think on the question proposed. They do not go to the case of persons charged with petty duties, where consequences are trifling, and time allowed for a legal course, nor to authorize them to take such cases out of the written law. In these, the example of overleaping the law is of greater evil than a strict adherence to its imperfect provisions. It is incumbent on those only who accept of great charges, to risk themselves on great occasions, when the safety of the nation, or some of its very high interests are at stake. An officer is bound to obey orders; yet he would be a bad one who should do it in cases for which they were not in-

tended, and which involved the most important consequences. The line of discrimination between cases may be difficult; but the good officer is bound to draw it at his own peril, and throw himself on the justice of his country and the rectitude of his motives.

I have indulged freer views on this question, on your assurances that they are for your own eye only, and that they will not get into the hands of newswriters. I met their scurrilities without concern, while in pursuit of the great interests with which I was charged. But in my present retirement, no duty forbids my wish for quiet.

Accept the assurances of my esteem and respect.

TO JAMES MADISON. J. MSS.

MONTICELLO Oct. 15. 10.

DEAR SIR,—Tho' late, I congratulate you on the revocation of the French decrees, & Congress still more, for without something new from the belligerents, I know not what ground they could have taken for their next move. Britain will revoke her orders of council, but continue their effect by new paper blockades, doing in detail what the orders did in the lump. The exclusive right to the sea by conquest is the principle she has acted on in petto, tho' she dares not yet avow it. This was to depend on the events of the war. I rejoice however that one power has got out of our way, & left us a clear field with the other.

Another circumstance of congratulation is the death of Cushing. The nation ten years ago declared it's will for a change in the principles of the administration of their affairs. They then changed the two branches depending on their will, and have steadily maintained the reformation in those branches. The third, not dependent on them, has so long bid defiance to their will, erecting themselves into a political body, to correct what they deem the errors of the nation. The death of Cushing gives an opportunity of closing the reformation by a successor of unquestionable republican principles. Our friend Lincoln has of course presented himself to your recollection. I know you think lightly of him as a lawyer; and I do not consider him as a correct common lawyer, yet as much so as any one which ever came, or ever can come from one of the Eastern states. Their system of Jurisprudence

made up from the Jewish law, a little dash of common law, & a great mass of original notions of their own, is a thing sui generis, and one educated in that system can never so far eradicate early impressions as to imbibe thoroughly the principles of another system. It is so in the case of other systems of which Ld. Mansfield is a splendid example. Lincoln's firm republicanism, and known integrity, will give compleat confidence to the public in the long desired reformation of their judiciary. Were he out of the way, I should think Granger prominent for the place. His abilities are great, I have entire confidence in his integrity, tho' I am sensible that J. R. has been able to lessen the confidence of many in him. But that I believe he would soon reconcile to him, if placed in a situation to shew himself to the public, as he is, and not as an enemy has represented him. As the choice must be of a New Englander, to exercise his functions for New England men, I confess I know of none but these two characters. Morton is really a republican, but inferior to both the others in every point of view. Blake calls himself republican, but never was one at heart. His treachery to us under the embargo should put him by forever. Story & Bacon are exactly the men who deserted us on that measure & carried off the majority. The former unquestionably a tory, & both are too young. I say nothing of professing federalists. Granger & Morton have both been interested in Yazooism. The former however has long been clear of it. I have said thus much because I know you must wish to learn the sentiments of others, to hear all, and then do what on the whole you perceive to be best.[1]

[1] On the question of this vacancy in its bearing on the Batture case, Jefferson had already written to Albert Gallatin:

MONTICELLO, September 27, 1810

DEAR SIR,—Yours of the 10th came safely to hand and laid me under new obligations for the valuable observations it contained. The error of 12 feet instead of 7 for the rise of the Batture really *sautoit aux yeux*, and how I could have committed it at first or passed it over afterwards without discovery, and having copied Pelletier's plan myself, is unaccountable. I have adopted also most of your other corrections. You observe that the arguments proving the Batture public, yet prove it of such a character that it could not be within the scope of the law of March 4 against squatters. I should so adjudge myself; yet I observe many opinions otherwise, and in defence against a spadassin it is lawful to use all weapons. Besides, I have no pretensions to be exclusively the

Does Mr. Lee go back to Bordeaux? If he does, I have not a wish to the contrary. If he does not, permit me to place my friend & kinsman G. J.[1] on the list of candidates. No appointment can fall on an honester man and his talents tho' not of the first order, are fully adequate to the station. His judgment is very sound, & his prudence consummate. Ever affectionately yours.

judge of what arguments are sound and what not. I give them, therefore, that they may have weight and have a right to decide for themselves. That Act of Congress, moreover, was evidently respected, particularly in the order under which the removal was made.

With respect to the arrangement of materials in my statement, I know it is not such as counsel would employ in pleading such a cause; it is not such as I would have made myself in that character. It was determined by other considerations. I thought it possible the case might be dismissed out of court by a plea to the jurisdiction. I determined, on this event, to lay it before the public, either directly or through Congress. Respect for my associates, for myself, for our nation, would not permit me to come forward, as a criminal under accusation, to plead and argue a cause. This was not my situation. I had only to state to my constituents a common transaction. This would naturally be by way of narrative or statements of the facts in their order of time, establishing these facts as they occur, and bringing forward the law arising on them and pointing to the Executive the course he was to pursue. I suppose it was self-respectful to present it as a history and explanation of what had taken place. It does not, indeed, in that form display the subject in one great whole; but it brings forward successively a number of questions, solving themselves as they arise, and leaving no one unexamined. And the mind, after travelling over the whole case, and finding, as it goes along, that all has been considered, and all is right, rests in that state of satisfaction which it is our object to produce. In truth, I have never known a case which presented so many distinct questions, having no dependence on one another, nor belonging even to the same branches of jurisprudence. After all, I offer this as explanation, not justification, of the order I adopted.

What the issue of the case ought to be, no unbiased man can doubt. What it will be, no one can tell. The judge's inveteracy is profound, and his mind of that gloomy malignity which will never let him forego the opportunity of satiating it on a victim. His decisions, his instructions to a jury, his allowances and disallowances and garblings of evidence, must all be subjects of appeal. I consider that as my only chance of saving my fortune from entire wreck. And to whom is my appeal? From the judge in Burr's case to himself and his associate judges in the case of Marbury v. Madison. Not exactly, however. I observe old Cushing is dead. At length, then, we have a chance of getting a Republican majority in the Supreme judiciary. For ten years has

[1] George Jefferson.

TO WILLIAM DUANE. J. MSS.

MONTICELLO, November 13, 1810.

DEAR SIR,—Your third packet is received before the second had been returned. It is now enclosed, and the other shall go by the next post. I find, as before, nothing to correct but those errors of the copyist which you would have corrected yourself

that branch braved the spirit and will of the nation, after the nation has manifested its will by a complete reform in every branch depending on them. The event is a fortunate one, and so timed as to be a Godsend to me. I am sure its importance to the nation will be felt, and the occasion employed to complete the great operation they have so long been executing, by the appointment of a decided Republican, with nothing equivocal about him. But who will it be? The misfortune of Bidwell removes an able man from the competition. Can any other bring equal qualifications to those of Lincoln? I know he was not deemed a profound common lawyer; but was there ever a profound common lawyer known in one of the Eastern States? There never was, nor never can be, one from those States. The basis of their law is neither common nor civil; it is an original, if any compound can be so called. Its foundation seems to have been laid in the spirit and principles of Jewish law, incorporated with some words and phrases of common law, and an abundance of notions of their own. This makes an amalgam sui generis; and it is well known that a man first and thoroughly initiated into the principles of one system of law can never become pure and sound in any other. Lord Mansfield was a splendid proof of this. Therefore I say there never was, nor never can be a profound common lawyer from those States. Sullivan had the reputation of pre-eminence there as a common lawyer, but we have his History of Land Titles, which gives us his measure. Mr. Lincoln is, I believe, considered as learned in their laws as any one they have. Federalists say that Parsons is better; but the criticalness of the present nomination puts him out of the question. As the great mass of the functions of the new judge are to be performed in his own district, Lincoln will be most unexceptionable and acceptable there, and on the Supreme bench equal to any one who can be brought from thence. Add to this his integrity, political firmness, and unimpeachable character, and I believe no one can be found to whom there will not be more serious objections.

You seem to think it would be best to ascertain the probable result before making a proposition to Congress to defend Livingston's suit. On mature consideration I think it better that no such proposition should be made. The debates there would fix the case as a party one, and we are the minority in the judiciary department, and especially in the Federal branch of it here. Till Congress can be thoroughly put in possession of all the points in the case, it is best they should let it lie. Livingston, by removing it into the judiciary, has fairly relinquished all claims on their interference. I am confident that Congress will act soundly whenever we can give them a knowledge of the whole case.

before committed to the press. If it were practicable to send me the original sheets with the translated, perhaps my equal familiarity with both languages might enable me sometimes to be of some advantage; but I presume that might be difficult, and of little use, scarcely perhaps of any. I thank you for the copy of Williams. I have barely dipped into it a little. Enough, however, to see he is far short of the luminous work you are printing. Indeed I think that the most valuable work of the present age. I received from Williams, some years ago, his book on the claims of authors. I found him to be a man of sound and true principles, but not knowing how to go at them, and not able to trace or develop them for others. I believe with you that the crisis of England is come. What will be its issue it is vain to prophesy;

But I tire you with this business, and end, therefore, with repeating assurances of my constant attachment and respect.

He also wrote to Gideon Granger:

MONTICELLO Oct. 22. 10.

DEAR SIR,—Your two favors of Sep. 27. and Oct. 4. have been duly received. The substance of the latter I immediately communicated to my friend at Lynchburg, where the information will be received with joy. The former was a week before it got here. About the 25th of Sep. writing to two members of the cabinet on other business, and having just heard of Cushing's death, I reminded them of our friend Lincoln in those terms which his worth & standing dictated. After the receipt of yours of the 4th writing again on other business, and taking a review of supposed candidates, I expressed with respect to yourself those sentiments of esteem & approbation which are sincerely mine; and with as much earnestness as the laws I lay down for myself in these cases would permit. And with the more in contemplation of an expression in your letter, to wit 'had our friend Lincoln remained capable my lips would have remained sealed' for altho' I have never heard any fact which explains the meaning of this to me, yet I inferred that something had happened of which I had not heard. I shall be perfectly happy if either of you are named, as I consider the substituting, in the place of Cushing, a firm unequivocating republican, whose principles are born with him, and not an occasional ingraftment, as necessary to compleat that great reformation in our government to which the nation gave it's fiat ten years ago. They have compleated & maintained it steadily in the two branches dependent on them, but the third, unfortunately & unwisely, made independent not only of the nation, but even of their own conduct, have hitherto bid defiance to the public will, and erected themselves into a political body with the assumed functions of correcting what they deem the errors of the nation. Accept the assurances of my great esteem & respect.

so many thousand contingencies may turn up to affect its direction. Were I to hazard a guess, it would be that they will become a military despotism. Their recollections of the portion of liberty they have enjoyed will render force necessary to retain them under pure monarchy. Their pressure upon us has been so severe and so unprincipled, that we cannot deprecate their fate, though we might wish to see their naval power kept up to the level of that of the other principal powers separately taken. But may it not take a very different turn? Her paper credit annihilated, the precious metals must become her circulating medium. The taxes which can be levied on her people in these will be trifling in comparison with what they could pay in paper money; her navy then will be unpaid, unclothed, unfed. Will such a body of men suffer themselves to be dismissed and to starve? Will they not mutiny, revolt, embody themselves under a popular Admiral, take possession of Western and Bermuda islands, and act on the Algerine system? If they should not be able to act on this broad scale, they will become individual pirates; and the modern Carthage will end as the old one has done. I am sorry for her people, who are individually as respectable as those of other nations—it is her government which is so corrupt, and which has destroyed the nation—it was certainly the most corrupt and unprincipled government on earth. I should be glad to see their farmers and mechanics come here, but I hope their nobles, priests, and merchants will be kept at home to be moralized by the discipline of the new government. The young stripling whom you describe is, probably, as George Nicholas used to say, "in the plenitude of puppyism." Such coxcombs do not serve even as straws to show which way the wind blows. Alexander is unquestionably a man of an excellent heart, and of very respectable strength of mind; and he is the only sovereign who cordially loves us. Bonaparte hates our government because it is a living libel on his. The English hate us because they think our prosperity filched from theirs. Of Alexander's sense of the merits of our form of government, of its wholesome operation on the condition of the people, and of the interest he takes in the success of our experiment, we possess the most unquestionable proofs; and to him we shall be indebted if the rights of neutrals, to be settled when-

ever peace is made, shall be extended beyond the present belligerents; that is to say, European neutrals, as George and Napoleon, of mutual consent and common hatred against us, would concur in excluding us. I thought it a salutary measure to engage the powerful patronage of Alexander at conferences for peace, at a time when Bonaparte was courting him; and although circumstances have lessened its weight, yet it is prudent for us to cherish his good dispositions, as those alone which will be exerted in our favor when that occasion shall occur. He, like ourselves, sees and feels the atrociousness of both the belligerents. I salute you with great esteem and respect.

TO JUDGE JOHN TYLER.

J. MSS.

MONTICELLO, Nov. 25, 10.

DEAR SIR,—Your favor of the 12th gave me the first information that the lectures of my late master and friend[1] exist in MS. Knowing how little sensible he was of the eminence of his own mind, I had apprehended, if he had ever committed to writing more than their skeleton, that possibly he might have destroyed them, as I expect he has done a very great number of instructive arguments delivered at the bar, and often written at full length. I do not however conceive myself entitled to claim them under the bequest of his library. I presume they go, with his other papers to his executor. But this must be immaterial, as no one could have a wish to withhold them from the public, if in such a form as would render them useful to them, & honorable to himself. This I am sure they must be if tolerably entire. His mind was too accurate, his reasoning powers too strong, to have committed anything to paper materially incorrect. It is unfortunate that there should be lacunae in them. But you are

[1] George Wythe.

mistaken, my dear sir, in supposing I could supply them. It is now 37 years since I left the bar, and have ceased to think on subjects of law; & the constant occupation of my mind by other concerns has obliterated from it all but the strongest traces of the science. Others, I am sure, can be found equal to it, and none more so than Judge Roane. It is not my time or trouble which I wish to spare on this occasion. They are due, in any extent, to the memory of one who was my second father, my incompetence is the real obstacle: and in any other circumstance connected with the publication, in which I can be useful to his fame, and the public instruction, I shall be most ready to do my duty. How this may be, I must leave to be pointed out by you, than whom no one better knew the powers & purity of his mind, or feels warmer zeal to render them useful after his death. Accept the assurances of my constant friendship & respect.

TO JOHN WAYLES EPPES. J. MSS.

MONTICELLO, Jan. 5, 11.

DEAR SIR,—Your two letters of Dec. 14 reached this place just after I had left it, for Bedford. This has occasioned the delay of the answer. I now inclose you the paper you requested on the boundaries of Louisiana. It is a bad Polygraph copy; however it is legible. There is nothing secret in the paper and therefore may be freely used as you please, except that I would not have it printed but with the advice of the President—with his sanction, if it be thought material to satisfy the public opinion on the solidity of a right, the assertion of which may lead to war, it may

be printed. But the paper I send you wants a very material appendix. This was a chronological table of all the facts relating to the discovery & history of Louisiana which I compiled from all the authors I possess or could obtain, who have written on Louisiana, with a reference to the authority for every fact. This is not now among my papers, and I have no conception what has become of it, unless it remains in the office of state. I sent both papers to that office, from which copies were taken and sent to our ministers at Paris & Madrid & perhaps given in by them to those governments. Copies were also retained for the use of the office, and perhaps only the original of the principal paper may have been returned to me. I write by this post to Mr. Graham to examine & if he has not the original of the chronological table, to lend me his copy, from which I will send you one. With respect to the boundaries they are as well ascertained as those of any unsettled country whatever, as well as the boundaries of several of these states, about which disputes still exist & as the boundaries of many of the unsettled Northern countries of Europe. I wish you would authorise the President to take possession of East Florida immediately. The seizing West Florida will be a signal to England to take Pensacola & St. Augustine; and be assured it will be done as soon as the order can return after they hear of our taking Baton rouge, and we shall never get it from them but by a war, which may be prevented by anticipation—there never was a case where the adage was more true, 'in for a penny, in for a pound;' and no more offence will be taken by France & Spain at our seizure of both

than of one. The English will take East Florida, pretendedly for Spain. We should take it with a declaration 1. That it is a reprisal for indemities Spain has acknoleged due to us. 2. To keep it from falling into hands in which it would essentially endanger our safety. 3. That in our hands it will still be held as a subject of negociation. The leading Republican members should come to an understanding, close the doors, and determine not to separate till the vote is carried and all the secrecy you can enjoin should be aimed at until the measure is executed. The militia of Georgia will do it in a fortnight.

I proposed to Francis, as you desired, his staying here. He asked me if I had written to you to ask permission for his stay. I told him I had & that you left it to himself. He said at once he would stay. I have put him into his Latin grammar, rather to learn him to exercise his memory in getting by heart, than from an expectation that he may otherwise profit by it as yet. I observe he gets very readily & perfectly. I inclose you a letter from him. Accept assurances of my constant affection.

TO THOMAS LAW. J. MSS.

MONTICELLO, January 15, 1811.

DEAR SIR,—An absence from home of some length has prevented my sooner acknowledging the receipt of your letter, covering the printed pamphlet, which the same absence has as yet prevented me from taking up, but which I know I shall read with great pleasure. Your favor of December the 22d, is also received.

Mr. Wagner's malignity, like that of the rest of his tribe of brother printers, who deal out calumnies for federal readers, gives me no pain. When a printer cooks up a falsehood, it is as easy to

put it into the mouth of a Mr. Fox, as of a smaller man, and safer into that of a dead than a living one. Your sincere attachment to this country, as well as to your native one, was never doubted by me; and in that persuasion, I felt myself free to express to you my genuine sentiments with respect to England. No man was more sensible than myself of the just value of the friendship of that country. There are between us so many of those circumstances which naturally produce and cement kind dispositions, that if they could have forgiven our resistance to their usurpations, our connections might have been durable, and have insured duration to both our governments. I wished, therefore, a cordial friendship with them, and I spared no occasion of manifesting this in our correspondence and intercourse with them; not disguising, however, my desire of friendship with their enemy also. During the administration of Mr. Addington, I thought I discovered some friendly symptoms on the part of that government; at least, we received some marks of respect from the administration, and some of regret at the wrongs we were suffering from their country. So, also, during the short interval of Mr. Fox's power. But every other administration since our Revolution has been equally wanton in their injuries and insults, and have manifested equal hatred and aversion. Instead, too, of cultivating the government itself, whose principles are those of the great mass of the nation, they have adopted the miserable policy of teazing and embarrassing it, by allying themselves with a faction here, not a tenth of the people, noisy and unprincipled, and which never can come into power while republicanism is the spirit of the nation, and that must continue to be so, until such a condensation of population shall have taken place as will require centuries. Whereas, the good will of the government itself would give them, and immediately, every benefit which reason or justice would permit it to give. With respect to myself, I saw great reason to believe their ministers were weak enough to credit the newspaper trash about a supposed personal enmity in myself towards England. This wretched party imputation was beneath the notice of wise men. England never did me a personal injury, other than in open war; and for numerous individuals there, I have great esteem and friendship. And I must have had a mind far below the duties of my station, to

have felt either national partialities or antipathies in conducting the affairs confided to me. My affections were first for my own country, and then, generally, for all mankind; and nothing but minds placing themselves above the passions, in the functionaries of this country, could have preserved us from the war to which their provocations have been constantly urging us. The war interests in England include a numerous and wealthy part of their population; and their influence is deemed worth courting by ministers wishing to keep their places. Continually endangered by a powerful opposition, they find it convenient to humor the popular passions at the expense of the public good. The shipping interest, commercial interest, and their janizaries of the navy, all fattening on war, will not be neglected by ministers of ordinary minds. Their tenure of office is so infirm that they dare not follow the dictates of wisdom, justice, and the well-calculated interests of their country. This vice in the English constitution, renders a dependence on that government very unsafe. The feelings of their King, too, fundamentally adverse to us, have added another motive for unfriendliness in his ministers. This obstacle to friendship, however, seems likely to be soon removed; and I verily believe the successor will come in with fairer and wiser dispositions towards us; perhaps on that event their conduct may be changed. But what England is to become on the crush of her internal structure, now seeming to be begun, I cannot foresee. Her monied interest, created by her paper system, and now constituting a baseless mass of wealth equal to that of the owners of the soil, must disappear with that system, and the medium for paying great taxes thus failing, her navy must be without support. That it shall be supported by permitting her to claim dominion of the ocean, and to levy tribute on every flag traversing that, as lately attempted and not yet relinquished, every nation must contest, even *ad internecionem*. And yet, that retiring from this enormity, she should continue able to take a fair share in the necessary equilibrium of power on that element, would be the desire of every nation.

I feel happy in withdrawing my mind from these anxieties, and resigning myself, for the remnant of life, to the care and guardianship of others. Good wishes are all an old man has to

offer to his country or friends. Mine attend yourself, with sincere assurances of esteem and respect, which, however, I should be better pleased to tender you in person, should your rambles ever lead you into the vicinage of Monticello.

TO DOCTOR BENJAMIN RUSH. J. MSS.

MONTICELLO, January 16, 1811.

DEAR SIR,—I had been considering for some days, whether it was not time by a letter, to bring myself to your recollection, when I received your welcome favor of the 2d instant. I had before heard of the heart-rending calamity you mention, and had sincerely sympathized with your afflictions. But I had not made it the subject of a letter, because I knew that condolences were but renewals of grief. Yet I thought, and still think, this is one of the cases wherein we should "not sorrow, even as others who have no hope." I have myself known so many cases of recovery from confirmed insanity, as to reckon it ever among the recoverable diseases. One of them was that of a near relative and namesake of mine, who, after many years of madness of the first degree, became entirely sane, and amused himself to a good old age in keeping school; was an excellent teacher and much valued citizen.

You ask if I have read Hartley? I have not. My present course of life admits less reading than I wish. From breakfast, or noon at latest, to dinner, I am mostly on horseback, attending to my farm or other concerns, which I find healthful to my body, mind and affairs; and the few hours I can pass in my cabinet, are devoured by correspondences; not those with my intimate friends, with whom I delight to interchange sentiments, but with others, who, writing to me on concerns of their own in which I have had an agency, or from motives of mere respect and approbation, are entitled to be answered with respect and a return of good will. My hope is that this obstacle to the delights of retirement, will wear away with the oblivion which follows that, and that I may at length be indulged in those studious pursuits, from which nothing but revolutionary duties would ever have called me.

I shall receive your proposed publication and read it with the pleasure which everything gives me from your pen. Although much of a sceptic in the practice of medicine, I read with pleasure its ingenious theories.

I receive with sensibility your observations on the discontinuance of friendly correspondence between Mr. Adams and myself, and the concern you take in its restoration. This discontinuance has not proceeded from me, nor from the want of sincere desire and of effort on my part, to renew our intercourse. You know the perfect coincidence of principle and of action, in the early part of the Revolution, which produced a high degree of mutual respect and esteem between Mr. Adams and myself. Certainly no man was ever truer than he was, in that day, to those principles of rational republicanism which, after the necessity of throwing off our monarchy, dictated all our efforts in the establishment of a new government. And although he swerved, afterwards, towards the principles of the English constitution, our friendship did not abate on that account. While he was Vice President, and I Secretary of State, I received a letter from President Washington, then at Mount Vernon, desiring me to call together the Heads of departments, and to invite Mr. Adams to join us (which, by-the-bye, was the only instance of that being done) in order to determine on some measure which required despatch ; and he desired me to act on it, as decided, without again recurring to him. I invited them to dine with me, and after dinner, sitting at our wine, having settled our question, other conversation came on, in which a collision of opinion arose between Mr. Adams and Colonel Hamilton, on the merits of the British constitution, Mr. Adams giving it as his opinion, that, if some of its defects and abuses were corrected, it would be the most perfect constitution of government ever devised by man. Hamilton, on the contrary, asserted, that with its existing vices, it was the most perfect model of government that could be formed ; and that the correction of its vices would render it an impracticable government. And this you may be assured was the real line of difference between the political principles of these two gentlemen. Another incident took place on the same occasion, which will further delineate Mr. Hamilton's political

principles. The room being hung around with a collection of the portraits of remarkable men, among them were those of Bacon, Newton and Locke, Hamilton asked me who they were. I told him they were my trinity of the three greatest men the world had ever produced, naming them. He paused for some time: "the greatest man," said he, "that ever lived, was Julius Cæsar." Mr. Adams was honest as a politician, as well as a man; Hamilton honest as a man, but, as a politician, believing in the necessity of either force or corruption to govern men.

You remember the machinery which the federalists played off, about that time, to beat down the friends to the real principles of our constitution, to silence by terror every expression in their favor, to bring us into war with France and alliance with England, and finally to homologize our constitution with that of England. Mr. Adams, you know, was overwhelmed with feverish addresses, dictated by the fear, and often by the pen, of the *bloody buoy*, and was seduced by them into some open indications of his new principles of government, and in fact, was so elated as to mix with his kindness a little superciliousness towards me. Even Mrs. Adams, with all her good sense and prudence, was sensibly flushed. And you recollect the short suspension of our intercourse, and the circumstance which gave rise to it, which you were so good as to bring to an early explanation, and have set to rights, to the cordial satisfaction of us all. The nation at length passed condemnation on the political principles of the federalists, by refusing to continue Mr. Adams in the Presidency. On the day on which we learned in Philadelphia the vote of the city of New York, which it was well known would decide the vote of the State, and that, again, the vote of the Union, I called on Mr. Adams on some official business. He was very sensibly affected, and accosted me with these words: "Well, I understand that you are to beat me in this contest, and I will only say that I will be as faithful a subject as any you will have." "Mr. Adams," said I, "this is no personal contest between you and me. Two systems of principles on the subject of government divide our fellow citizens into two parties. With one of these you concur, and I with the other. As we have been longer on the public stage than most of those now living,

our names happen to be more generally known. One of these parties, therefore, has put your name at its head, the other mine. Were we both to die to-day, to-morrow two other names would be in the place of ours, without any change in the motion of the machinery. Its motion is from its principle, not from you or myself." "I believe you are right," said he, "that we are but passive instruments, and should not suffer this matter to affect our personal dispositions." But he did not long retain this just view of the subject. I have always believed that the thousand calumnies which the federalists, in bitterness of heart, and mortification at their ejection, daily invented against me, were carried to him by their busy intriguers, and made some impression. When the election between Burr and myself was kept in suspense by the federalists, and they were mediating to place the President of the Senate at the head of the government, I called on Mr. Adams with a view to have this desperate measure prevented by his negative. He grew warm in an instant, and said with a vehemence he had not used towards me before, "Sir, the event of the election is within your own power. You have only to say you will do justice to the public creditors, maintain the navy, and not disturb those holding offices, and the government will instantly be put into your hands. We know it is the wish of the people it should be so." "Mr. Adams," said I, "I know not what part of my conduct, in either public or private life, can have authorized a doubt of my fidelity to the public engagements. I say, however, I will not come into the government by capitulation. I will not enter on it, but in perfect freedom to follow the dictates of my own judgment." I had before given the same answer to the same intimation from Gouverneur Morris. "Then," said he, "things must take their course." I turned the conversation to something else, and soon took my leave. It was the first time in our lives we had ever parted with anything like dissatisfaction. And then followed those scenes of midnight appointment, which have been condemned by all men. The last day of his political power, the last hours, and even beyond the midnight, were employed in filling all offices, and especially permanent ones, with the bitterest federalists, and providing for me the alternative, either to execute the government by my enemies, whose

study it would be to thwart and defeat all my measures, or to incur the odium of such numerous removals from office, as might bear me down. A little time and reflection effaced in my mind this temporary dissatisfaction with Mr. Adams, and restored me to that just estimate of his virtues and passions, which a long acquaintance had enabled me to fix. And my first wish became that of making his retirement easy by any means in my power; for it was understood he was not rich. I suggested to some republican members of the delegation from his State, the giving him, either directly or indirectly, an office, the most lucrative in that State, and then offered to be resigned, if they thought he would not deem it affrontive. They were of opinion he would take great offence at the offer; and moreover, that the body of republicans would consider such a step in the outset as arguing very ill of the course I meant to pursue. I dropped the idea, therefore, but did not cease to wish for some opportunity of renewing our friendly understanding.

Two or three years after, having had the misfortune to lose a daughter, between whom and Mrs. Adams there had been a considerable attachment, she made it the occasion of writing me a letter, in which, with the tenderest expressions of concern at this event, she carefully avoided a single one of friendship towards myself, and even concluded it with the wishes "of her who *once* took pleasure in subscribing herself your friend, Abigail Adams." Unpromising as was the complexion of this letter, I determined to make an effort towards removing the cloud from between us. This brought on a correspondence which I now enclose for your perusal, after which be so good as to return it to me, as I have never communicated it to any mortal breathing, before. I send it to you, to convince you I have not been wanting either in the desire, or the endeavor to remove this misunderstanding. Indeed, I thought it highly disgraceful to us both, as indicating minds not sufficiently elevated to prevent a public competition from affecting our personal friendship. I soon found from the correspondence that conciliation was desperate, and yielding to an intimation in her last letter, I ceased from further explanation. I have the same good opinion of Mr. Adams which I ever had. I know him to be an honest man, an able one with his pen, and he

was a powerful advocate on the floor of Congress. He has been alienated from me, by belief in the lying suggestions contrived for electioneering purposes, that I perhaps mixed in the activity and intrigues of the occasion. My most intimate friends can testify that I was perfectly passive. They would sometimes, indeed, tell me what was going on; but no man ever heard me take part in such conversations; and none ever misrepresented Mr. Adams in my presence, without my asserting his just character. With very confidential persons I have doubtless disapproved of the principles and practices of his administration. This was unavoidable. But never with those with whom it could do him any injury. Decency would have required this conduct from me, if disposition had not; and I am satisfied Mr. Adams' conduct was equally honorable towards me. But I think it part of his character to suspect foul play in those of whom he is jealous, and not easily to relinquish his suspicions.

I have gone, my dear friend, into these details, that you might know everything which had passed between us, might be fully possessed of the state of facts and dispositions, and judge for yourself whether they admit a revival of that friendly intercourse for which you are so kindly solicitous. I shall certainly not be wanting in anything on my part which may second your efforts, which will be the easier with me, inasmuch as I do not entertain a sentiment of Mr. Adams, the expression of which could give him reasonable offence. And I submit the whole to yourself, with the assurance, that whatever be the issue, my friendship and respect for yourself will remain unaltered and unalterable.[1]

[1] Jefferson later wrote Rush:

POPLAR FOREST, December 5, 1811.

DEAR SIR,—While at Monticello I am so much engrossed by business or society, that I can only write on matters of strong urgency. Here I have leisure, as I have everywhere the disposition to think of my friends. I recur, therefore, to the subject of your kind letters relating to Mr. Adams and myself, which a late occurrence has again presented to me. I communicated to you the correspondence which had parted Mrs. Adams and myself, in proof that I could not give friendship in exchange for such sentiments as she had recently taken up towards myself, and avowed and maintained in her letters to me. Nothing but a total renunciation of these could admit a reconciliation, and that could be cordial only in proportion as the return to ancient opinions was believed sincere.

TO THE MARQUIS DE LAFAYETTE. J. MSS.

MONTICELLO Jan. 20, 11.

I have to acknolege, my dear friend, the receipt of many of your letters within the last twelvemonth, and altho' I have not answered them specifically to yourself, yet I have not been inattentive or inactive as to their contents. On leaving the government two years ago, I knew I could not serve you so effectually as by committing the whole care of your Orleans affairs to the President. The weight of his agency merged all other interferences & no one could have more zeal. The arrival of your letters therefore to me, was used as occasions for refreshing his memory on your situation, and always produced answers which shewed he had it ever in view, till at length he informed me he had been able to have the grants brought forward for his signature which they had received & were forwarded by a confidential person. Your letters after this I considered as effectively answered by the fact of the grants being expedited, & by that time in your hands. Your last of Sep. 20. recd Nov. 29. accordingly informed me of Mr.

In these jaundiced sentiments of hers I had associated Mr. Adams, knowing the weight which her opinions had with him, and notwithstanding she declared in her letters that they were not communicated to him. A late incident has satisfied me that I wronged him as well as her, in not yielding entire confidence to this assurance on her part. Two of the Mr. ****, my neighbors and friends, took a tour to the northward during the last summer. In Boston they fell into company with Mr. Adams, and by his invitation passed a day with him at Braintree. He spoke out to them everything which came uppermost, and as it occurred to his mind, without any reserve; and seemed most disposed to dwell on those things which happened during his own administration. He spoke of his *masters*, as he called his Heads of departments, as acting above his control, and often against his opinions. Among many other topics, he adverted to the unprincipled licentiousness of the press against myself, adding, "I always loved Jefferson, and still love him."

This is enough for me. I only needed this knowledge to revive towards him all the affections of the most cordial moments of our lives. Changing a single word only in Dr. Franklin's character of him, I knew him to be always an honest man, often a great one, but sometimes incorrect and precipitate in his judgments; and it is known to those who have ever heard me speak of Mr. Adams, that I have ever done him justice myself, and defended him when assailed by others, with the single exception as to political opinions. But with a man possessing so many other estimable qualities, why should we be dissocialized by

Parish's arrival on the continent with them. Notwithstanding the discouragements from Hope & Co. I have such reliance on the genius & resources of our friend Parker in these matters as not to despair of means being found of making this property a present relief as well as future provision. I should consider money lent on it's hypothecation as on the solidest bottom of any loan existing. Of which of the dominant powers of Europe is the good faith as trustworthy? In what spot of Europe is the money of a lender more secure than in this peaceable, industrious, & thriving country? Had Mr. Goldsmidt's Omnium been all bottomed on the grounds around N. Orleans, he would not have needed the resource of the pistol. On the subject of your location adjacent to the city of N. O. I am not able to say any thing now, in fact I have considered your affairs as so securely placed in the hands of M. Duplantier there, and of the President here, that my interferences were better suspended as it might have disturbed & could not aid their operations. I did not omit however on a late visit of Govr. Claiborne to me at this place to

mere differences of opinions in politics, in religion, in philosophy, or anything else. His opinions are as honestly formed as my own. Our different views of the same subject are the result of a difference in our organization and experience.

I never withdrew from the society of any man on this account, although many have done it from me; much less should I do it from one with whom I had gone through, with hand and heart, so many trying scenes. I wish, therefore, but for an apposite occasion to express to Mr. Adams my unchanged affections for him. There is an awkwardness which hangs over the resuming a correspondence so long discontinued, unless something could arise which should call for a letter. Time and chance may perhaps generate such an occasion, of which I shall not be wanting in promptitude to avail myself. From this fusion of mutual affections, Mrs. Adams is of course separated. It will only be necessary that I never name her. In your letters to Mr. Adams, you can, perhaps, suggest my continued cordiality towards him, and knowing this, should an occasion of writing first present itself to him, he will perhaps avail himself of it, as I certainly will, should it first occur to me. No ground for jealousy now existing, he will certainly give fair play to the natural warmth of his heart. Perhaps I may open the way in some letter to my old friend Gerry, who I know is in habits of the greatest intimacy with him.

I have thus, my friend, laid open my heart to you, because you were so kind as to take an interest in healing again revolutionary affections, which have ceased in expression only, but not in their existence. God ever bless you, and preserve you in life and health.

strengthen as far as in my power, his good dispositions to give any aid his situation would afford to Mr. Duplantier. I trust then that for my failure to write for some time past other motives will be perceived than inattention to your happiness and prosperity. Old men do not easily contract new friendships, but neither do they forget old ones. Yours & mine commenced in times too awful, has continued thro' times too trying & changeful to be forgotten at the moment when our chief solace is in our recollections. You will be more sensible of this as you advance more towards my years. My situation too, so far in the interior country, prevents my knowing of the opportunities of writing. You remember your camps at the Raccoonford & Mechunck, & that I am still farther inland. For some time past there has been no opportunities but by public vessels; and the first we hear of them is generally that they *sailed* on such a day from such a port. One sailed lately from Hampton, which I learned only by the newspapers, after she was gone, and I am now writing without knowing when, or whence the letter can be forwarded. To these unfavorable circumstances for correspondence must be added the total change of the habits of my life. I am now on horseback among my farms from an early breakfast to a late dinner, with little regard to weather. I find it gives health to body, mind & affairs. I go to my writing table with great reluctance & only for those calls which cannot be put off to tomorrow. I am always happy to hear of the welfare of your family, & especially of your own. I hope you enjoy habitually good health & spirits. In the present state of the European world your comforts must all flow from what is immediately around you. There can be none in casting your eye over scenes of murder, rapine, devastation, pyracy, demoralization of national societies & degradation of the instruments of all this evil. If there be a god, & he is just his day will come. He will never abandon the whole race of man to be eaten up by the leviathans and mammoths of a day. I enjoy good health & am happy in contemplating the peace, prosperity, liberty & safety of my country, & especially the wide ocean, the barrier of all these. My daughter is in good health & continues to multiply the objects of our affection.

Mar. 27. Since the date of this letter, I am promoted to the

honors of a great grandfather. God bless you & send you many & happy days. Yours ever and affectionately.

TO JOHN LYNCH. J. MSS.

MONTICELLO, January 21, 1811.

SIR,—You have asked my opinion on the proposition of Mrs. Mifflin, to take measures for procuring, on the coast of Africa, an establishment to which the people of color of these States might, from time to time, be colonized, under the auspices of different governments. Having long ago made up my mind on this subject, I have no hesitation in saying that I have ever thought it the most desirable measure which could be adopted, for gradually drawing off this part of our population, most advantageously for themselves as well as for us. Going from a country possessing all the useful arts, they might be the means of transplanting them among the inhabitants of Africa, and would thus carry back to the country of their origin, the seeds of civilization which might render their sojournment and sufferings here a blessing in the end to that country.

I received, in the first year of my coming into the administration of the General Government, a letter from the Governor of Virginia, (Colonel Monroe,) consulting me, at the request of the Legislature of the State, on the means of procuring some such asylum, to which these people might be occasionally sent. I proposed to him the establishment of Sierra Leone, to which a private company in England had already colonized a number of negroes, and particularly the fugitives from these States during the Revolutionary War; and at the same time suggested, if this could not be obtained, some of the Portuguese possessions in South America, as next most desirable. The subsequent Legislature approving these ideas, I wrote, the ensuing year, 1802, to Mr. King, our Minister in London, to endeavor to negotiate with the Sierra Leone company a reception of such of these people as might be colonized thither. He opened a correspondence with Mr. Wedderburne and Mr. Thornton, secretaries of the company, on the subject, and in 1803 I received through Mr. King the result, which was that the colony was going on, but in a languish-

ing condition; that the funds of the company were likely to fail, as they received no returns of profit to keep them up; that they were therefore in treaty with their government to take the establishment off their hands; but that in no event should they be willing to receive more of these people from the United States, as it was exactly that portion of their settlers which had gone from hence, which, by their idleness and turbulence, had kept the settlement in constant danger of dissolution, which could not have been prevented but for the aid of the Maroon negroes from the West Indies, who were more industrious and orderly than the others, and supported the authority of the goverment and its laws. I think I learned afterwards that the British Government had taken the colony into its own hands, and I believe it still exists. The effort which I made with Portugal, to obtain an establishment for them within their claims in South America, proved also abortive.

You inquire further, whether I would use my endeavors to procure for such an establishment security against violence from other powers, and particularly from France? Certainly, I shall be willing to do anything I can to give it effect and safety. But I am but a private individual, and could only use endeavors with private individuals; whereas, the National Government can address themselves at once to those of Europe to obtain the desired security, and will unquestionably be ready to exert its influence with those nations for an object so benevolent in itself, and so important to a great portion of its constituents. Indeed, nothing is more to be wished than that the United States would themselves undertake to make such an establishment on the coast of Africa. Exclusive of motives of humanity, the commercial advantages to be derived from it might repay all its expenses. But for this, the national mind is not yet prepared. It may perhaps be doubted whether many of these people would voluntary consent to such an exchange of situation, and very certain that few of those advanced to a certain age in habits of slavery, would be capable of self-government. This should not, however, discourage the experiment, nor the early trial of it; and the proposition should be made with all the prudent cautions and attentions requisite to reconcile it to the interests, the safety and the prejudices of all parties.

TO A. C. V. C. DESTUTT DE TRACY. J. MSS.

MONTICELLO, January 26, 1811.

SIR,—The length of time your favor of June the 12th, 1809, was on its way to me, and my absence from home the greater part of the autumn, delayed very much the pleasure which awaited me of reading the packet which accompanied it. I cannot express to you the satisfaction which I received from its perusal. I had, with the world, deemed Montesquieu's work of much merit; but saw in it, with every thinking man, so much of paradox, of false principle and misapplied fact, as to render its value equivocal on the whole. Williams and others had nibbled only at its errors. A radical correction of them, therefore, was a great desideratum. This want is now supplied, and with a depth of thought, precision of idea, of language and of logic, which will force conviction into every mind. I declare to you, Sir, in the spirit of truth and sincerity, that I consider it the most precious gift the present age has received. But what would it have been, had the author, or would the author, take up the whole scheme of Montesquieu's work, and following the correct analysis he has here developed, fill up all its parts according to his sound views of them? Montesquieu's celebrity would be but a small portion of that which would immortalize the author. And with whom? With the rational and high-minded spirits of the present and all future ages. With those whose approbation is both incitement and reward to virtue and ambition. Is then the hope desperate? To what object can the occupation of his future life be devoted so usefully to the world, so splendidly to himself? But I must leave to others who have higher claims on his attention, to press these considerations.

My situation, far in the interior of the country, was not favorable to the object of getting this work translated and printed. Philadelphia is the least distant of the great towns of our States, where there exists any enterprise in this way; and it was not till the spring following the receipt of your letter, that I obtained an arrangement for its execution. The translation is just now completed. The sheets came to me by post, from time to time, for revisal; but not being accompanied by the original, I could not judge of verbal accuracies. I think, however, it is substantially

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correct, without being an adequate representation of the excellences of the original; as indeed no translation can be. I found it impossible to give it the appearance of an original composition in our language. I therefore think it best to divert inquiries after the author towards a quarter where he will not be found; and with this view, propose to prefix the prefatory epistle, now enclosed. As soon as a copy of the work can be had, I will send it to you by duplicate. The secret of the author will be faithfully preserved during his and my joint lives; and those into whose hands my papers will fall at my death, will be equally worthy of confidence. When the death of the author, or his living consent shall permit the world to know their benefactor, both his and my papers will furnish the evidence. In the meantime, the many important truths the work so solidly establishes, will, I hope, make it the political rudiment of the young, and manual of our older citizens.

One of its doctrines, indeed, the preference of a plural over a singular executive, will probably not be assented to here. When our present government was first established, we had many doubts on this question, and many leanings towards a supreme executive council. It happened that at that time the experiment of such an one was commenced in France, while the single executive was under trial here. We watched the motions and effects of these two rival plans, with an interest and anxiety proportioned to the importance of a choice between them. The experiment in France failed after a short course, and not from any circumstance peculiar to the times or nation, but from those internal jealousies and dissensions in the Directory, which will ever arise among men equal in power, without a principal to decide and control their differences. We had tried a similar experiment in 1784, by establishing a committee of the States, composed of a member from every State, then thirteen, to exercise the executive functions during the recess of Congress. They fell immediately into schisms and dissensions, which became at length so inveterate as to render all co-operation among them impracticable; they dissolved themselves, abandoning the helm of government, and it continued without a head, until Congress met the ensuing winter. This was then imputed to the temper of two or three

individuals ; but the wise ascribed it to the nature of man. The failure of the French Directory, and from the same cause, seems to have authorized a belief that the form of a plurality, however promising in theory, is impracticable with men constituted with the ordinary passions. While the tranquil and steady tenor of our single executive, during a course of twenty-two years of the most tempestuous times the history of the world has ever presented, gives a rational hope that this important problem is at length solved. Aided by the counsels of a cabinet of heads of departments, originally four, but now five, with whom the President consults, either singly or altogether, he has the benefit of their wisdom and information, brings their views to one centre, and produces an unity of action and direction in all the branches of the government. The excellence of this construction of the executive power has already manifested itself here under very opposite circumstances. During the administration of our first President, his cabinet of four members was equally divided by as marked an opposition of principle as monarchism and republicanism could bring into conflict. Had that cabinet been a directory, like positive and negative quantities in algebra, the opposing wills would have balanced each other and produced a state of absolute inaction. But the President heard with calmness the opinions and reasons of each, decided the course to be pursued, and kept the government steadily in it, unaffected by the agitation. The public knew well the dissensions of the cabinet, but never had an uneasy thought on their account, because they knew also they had provided a regulating power which would keep the machine in steady movement. I speak with an intimate knowledge of these scenes, *quorum pars fui ;* as I may of others of a character entirely opposite. The third administration, which was of eight years, presented an example of harmony in a cabinet of six persons, to which perhaps history has furnished no parallel. There never arose, during the whole time, an instance of an unpleasant thought or word between the members. We sometimes met under differences of opinion, but scarcely ever failed, by conversing and reasoning, so to modify each other's ideas, as to produce an unanimous result. Yet, able and amicable as these members were, I am not certain this would have been the case,

had each possessed equal and independent powers. Ill-defined limits of their respective departments, jealousies, trifling at first, but nourished and strengthened by repetition of occasions, intrigues without doors of designing persons to build an importance to themselves on the divisions of others, might, from small beginnings, have produced persevering oppositions. But the power of decision in the President left no object for internal dissension, and external intrigue was stifled in embryo by the knowledge which incendiaries possessed, that no division they could foment would change the course of the executive power. I am not conscious that my participations in executive authority have produced any bias in favor of the single executive; because the parts I have acted have been in the subordinate, as well as superior stations, and because, if I know myself, what I have felt, and what I have wished, I know that I have never been so well pleased, as when I could shift power from my own, on the shoulders of others; nor have I ever been able to conceive how any rational being could propose happiness to himself from the exercise of power over others.

I am still, however, sensible of the solidity of your principle, that, to insure the safety of the public liberty, its depository should be subject to be changed with the greatest ease possible, and without suspending or disturbing for a moment the movements of the machine of government. You apprehend that a single executive, with eminence of talent, and destitution of principle, equal to the object, might, by usurpation, render his powers hereditary. Yet I think history furnishes as many examples of a single usurper arising out of a government by a plurality, as of temporary trusts of power in a single hand rendered permanent by usurpation. I do not believe, therefore, that this danger is lessened in the hands of a plural executive. Perhaps it is greatly increased, by the state of inefficiency to which they are liable from feuds and divisions among themselves. The conservative body you propose might be so constituted, as, while it would be an admirable sedative in a variety of smaller cases, might also be a valuable sentinel and check on the liberticide views of an ambitious individual. I am friendly to this idea. But the true barriers of our liberty in this country are our State

governments; and the wisest conservative power ever contrived by man, is that of which our Revolution and present government found us possessed. Seventeen distinct States, amalgamated into one as to their foreign concerns, but single and independent as to their internal administration, regularly organized with legislature and governor resting on the choice of the people, and enlightened by a free press, can never be so fascinated by the arts of one man, as to submit voluntarily to his usurpation. Nor can they be constrained to it by any force he can possess. While that may paralyze the single State in which it happens to be encamped, sixteen others, spread over a country of two thousand miles diameter, rise up on every side, ready organized for deliberation by a constitutional legislature, and for action by their governor, constitutionally the commander of the militia of the State, that is to say, of every man in it able to bear arms; and that militia, too, regularly formed into regiments and battalions, into infantry, cavalry and artillery, trained under officers general and subordinate, legally appointed, always in readiness, and to whom they are already in habits of obedience. The republican government of France was lost without a struggle, because the party of "*un et indivisible*" had prevailed; no provincial organizations existed to which the people might rally under authority of the laws, the seats of the directory were virtually vacant, and a small force sufficed to turn the legislature out of their chamber, and to salute its leader chief of the nation. But with us, sixteen out of seventeen States rising in mass, under regular organization, and legal commanders, united in object and action by their Congress, or, if that be in *duresse*, by a special convention, present such obstacles to an usurper as forever to stifle ambition in the first conception of that object.

Dangers of another kind might more reasonably be apprehended from this perfect and distinct organization, civil and military, of the States; to wit, that certain States from local and occasional discontents, might attempt to secede from the Union. This is certainly possible; and would be befriended by this regular organization. But it is not probable that local discontents can spread to such an extent, as to be able to face the sound parts of so extensive an Union; and if ever they should reach

the majority, they would then become the regular government, acquire the ascendency in Congress, and be able to redress their own grievances by laws peaceably and constitutionally passed. And even the States in which local discontents might engender a commencement of fermentation, would be paralyzed and self-checked by that very division into parties into which we have fallen, into which all States must fall wherein men are at liberty to think, speak, and act freely, according to the diversities of their individual conformations, and which are, perhaps, essential to preserve the purity of the government, by the censorship which these parties habitually exercise over each other.

You will read, I am sure, with indulgence, the explanations of the grounds on which I have ventured to form an opinion differing from yours. They prove my respect for your judgment, and diffidence in my own, which have forbidden me to retain, without examination, an opinion questioned by you. Permit me now to render my portion of the general debt of gratitude, by acknowledgements in advance for the singular benefaction which is the subject of this letter, to tender my wishes for the continuance of a life so usefully employed, and to add the assurances of my perfect esteem and respect.

TO WILLIAM DUANE. J. MSS.

MONTICELLO, March 28, 1811.

DEAR SIR,—I learn with sincere concern, from yours of the 15th received by our last mail, the difficulties into which you are brought by the retirement of particular friends from the accommodations they had been in the habit of yielding you. That one of those you name should have separated from the censor of John Randolph, is consonant with the change of disposition which took place in him at Washington. That the other, far above that bias, should have done so, was not expected. I have ever looked to Mr. Lieper as one of the truest republicans of our country, whose mind, unaffected by personal incidents, pursues its course with a steadiness of which we have rare examples. Looking about for a motive, I have supposed it was to be found

in the late arraignments of Mr. Gallatin in your papers. However he might differ from you on that subject, as I do myself, the indulgences in difference of opinion which we all owe to one another, and every one needs for himself, would, I thought, in a mind like his, have prevented such a manifestation of it. I believe Mr. Gallatin to be of a pure integrity, and as zealously devoted to the liberties and interests of our country as its most affectionate native citizen. Of this his courage in Congress in the days of terror, gave proofs which nothing can obliterate from the recollection of those who were witnesses of it. These are probably the opinions of Mr. Lieper, as I believe they are of every man intimately acquainted with Mr. Gallatin. An intercourse, almost daily, of eight years with him, has given me opportunities of knowing his character more thoroughly than perhaps any other man living; and I have ascribed the erroneous estimate you have formed of it to the want of that intimate knowledge of him which I possessed. Every one, certainly, must form his judgment on the evidence accessible to himself; and I have no more doubt of the integrity of your convictions than I have of my own. They are drawn from different materials and different sources of information, more or less perfect, according to our opportunities. The zeal, the disinterestedness, and the abilities with which you have supported the great principles of our revolution, the persecutions you have suffered, and the firmness and independence with which you have suffered them, constitute too strong a claim on the good wishes of every friend of elective government, to be effaced by a solitary case of difference in opinion. Thus I think, and thus I believed my much-esteemed friend Lieper would have thought; and I am the more concerned he does not, as it is so much more in his power to be useful to you than in mine. His residence, and his standing at the great seat of the monied institutions, command a credit with them, which no inhabitant of the country, and of agricultural pursuits only, can have. The two or three banks in our uncommercial State are too distant to have any relations with the farmers of Albemarle. We are persuaded you have not overrated the dispositions of this State to support yourself and your paper. They have felt its services too often to be indifferent in the hour

of trial. They are well aware that the days of danger are not yet over. And I am sensible that if there were any means of bringing into concert the good will of the friends of the "Aurora" scattered over this State, they would not deceive your expectations. One month sooner might have found such an opportunity in the assemblage of our legislature in Richmond. But that is now dispersed not to meet again under a twelvemonth. We, here, are but one of a hundred counties, and on consultation with friends of the neighborhood, it is their opinion that if we can find an endorser resident in Richmond, (for that is indispensable,) ten or twelve persons of this county would readily engage, as you suggest, for their $100 each, and some of them for more. It is believed that the republicans in that city can and will do a great deal more; and perhaps their central position may enable them to communicate with other counties. We have written to a distinguished friend to the cause of liberty there to take the lead in the business, as far as concerns that place; and for our own, we are taking measures for obtaining the aid of the bank of the same place. In all this I am nearly a cypher. Forty years of almost constant absence from the State have made me a stranger in it, have left me a solitary tree, from around which the axe of time has felled all the companions of its youth and growth. I have, however, engaged some active and zealous friends to do what I could not. Their personal acquaintance and influence with those now in active life can give effect to their efforts. But our support can be but partial, and far short, both in time and measure, of your difficulties. They will be little more than evidences of our friendship. The truth is that farmers, as we all are, have no command of money. Our necessaries are all supplied, either from our farms, or a neighboring store. Our produce, at the end of the year, is delivered to the merchant, and thus the business of the year is done by barter, without the intervention of scarcely a dollar; and thus also we live with a plenty of everything except money. To raise that negociations and time are requisite. I sincerely wish that greater and prompter effects could have flowed from our good will. On my part, no endeavors or sacrifices shall be withheld. But we are bound down by the laws of our situation.

I do not know whether I am able at present to form a just idea of the situation of our country. If I am, it is such as, during the *bellum omnium in omnia* of Europe, will require the union of all its friends to resist its enemies within and without. If we schismatize on either men or measures, if we do not act in phalanx, as when we rescued it from the satellites of monarchism, I will not say our *party*, the term is false and degrading, but our *nation* will be undone. For the republicans are the *nation*. Their opponents are but a faction, weak in numbers, but powerful and profuse in the command of money, and backed by a nation, powerful also and profuse in the use of the same means; and the more profuse, in both cases, as the money they thus employ is not their own but their creditors, to be paid off by a bankruptcy, which whether it pays a dollar or a shilling in the pound is of little concern with them. The last hope of human liberty in this world rests on us. We ought, for so dear a state to sacrifice every attachment and every enmity. Leave the President free to choose his own coadjutors, to pursue his own measures, and support him and them, even if we think we are wiser than they, honester than they are, or possessing more enlarged information of the state of things. If we move in mass, be it ever so circuitously, we shall attain our object; but if we break into squads, every one pursuing the path he thinks most direct, we become an easy conquest to those who can now barely hold us in check. I repeat again, that we ought not to schismatize on either men or measures. Principles alone can justify that. If we find our government in all its branches rushing headlong, like our predecessors, into the arms of monarchy, if we find them violating our dearest rights, the trial by jury, the freedom of the press, the freedom of opinion, civil or religious, or opening on our peace of mind or personal safety the sluices of terrorism, if we see them raising standing armies, when the absence of all other danger points to these as the sole objects on which they are to be employed, then indeed let us withdraw and call the nation to its tents. But while our functionaries are wise, and honest, and vigilant, let us move compactly under their guidance, and we have nothing to fear. Things may here and there go a little wrong. It is not in their power to prevent it. But all will be right in the end, though not perhaps by the shortest means.

You know, my dear Sir, that this union of republicans has been the constant theme of my exhortations, that I have ever refused to know any subdivisions among them, to take part in any personal differences; and therefore you will not give to the present observations any other than general application. I may sometimes differ in opinion from some of my friends, from those whose views are as pure and sound as my own. I censure none, but do homage to every one's right of opinion. If I have indulged my pen, therefore, a little further than the occasion called for, you will ascribe it to a sermonizing habit, to the anxieties of age, perhaps to its garrulity, or to any other motive rather than the want of the esteem and confidence of which I pray you to accept sincere assurances.

P. S. Absorbed in a subject more nearly interesting, I had forgotten our book on the heresies of Montesquieu. I sincerely hope the removal of all embarrassment will enable you to go on with it, or so to dispose of it as that our country may have the benefit of the corrections it will administer to public opinion.[1]

[1] Jefferson further wrote to Col. William Duane.

MONTICELLO, April 30, 1811.

DEAR SIR,—When I wrote you my letter of March 28, I had great confidence that as much at least could have been done for you as I therein supposed. The friend to whom I confided the business here, and who was and is zealous, had found such readiness in those to whom he spoke, as left no other difficulty than to find the bank responsible. But the Auroras which came on while this was in transaction, changed the prospect altogether, and produced a general revulsion of sentiment. The President's popularity is high through this State, and nowhere higher than here. They considered these papers as a denunciation of war against him, and instantly withdrew their offers. I cannot give you a better account of the effect of the same papers in Richmond than by quoting the letter of a friend who there undertook the same office, and with great cordiality. In a letter to me of April 17, he says: "Yours of the 15th, in reply to mine of the 10th inst., has been brought to me from the office this instant. On showing it to ——— the effect of it was to dispose him to lend $500, and I wrote my letter of the 10th to you in a persuasion produced by that incident, as well as by its effect on my own feelings, that something important might be done for D. in spite of the adverse spirit, or at least distrust, which the equivocal character of his paper has lately excited, equivocal in relation to Mr. Madison. But D.'s three or four last papers contain such paragraphs in relation to Mr. Madison, that even your letter cannot now serve him. The paper is now regarded as an opposition one, and the republicans here have no sympathy with any one who

TO DUPONT DE NEMOURS. J. MSS.

MONTICELLO, April 15, 1811.

DEAR SIR,—I have to acknowledge the receipt of your letters of January 20 and September 14, 1810, and, with the latter, your observations on the subject of taxes. They bear the

carries opposition colors. Every gentleman who mentions this subject in my hearing, speaks with the warmest resentment against D. Believe me, Sir, it is impossible to do anything for him here now; and any further attempts would only disable me from rendering any service to the cause hereafter. I am persuaded that you will see this subject in its true light, and be assured that it is the impracticability of serving him, produced by himself, as well as the violation which I feel it would be of my sentiments for Mr. Madison, that prevents me from proceeding." The firm, yet modest character of the writer of this letter gives great weight to what he says, and I have thought it best to state it in his own terms, because it will be better evidence to you than any general description I could give of the impression made by your late papers. Indeed I could give none, for going little from home, I cannot personally estimate the public sentiment. The few I see are very unanimous in support of their Executive and legislative functionaries. I have thought it well, too, that you should know exactly the feelings here, because if you get similar information from other respectable portions of the union, it will naturally beget some suspicion in your own mind that finding such a mass of opinion variant from your own, you may be under erroneous impressions, meriting re-examination and consideration. I think an Editor should be independent, that is, of personal influence, and not be moved from his opinions on the mere authority of any individual. But, with respect to the general opinion of the political section with which he habitually accords, his duty seems very like that of a member of Congress. Some of these indeed think that independence requires them to follow always their own opinion, without respect for that of others. This has never been my opinion, nor my practice, when I have been of that or any other body. Differing, on a particular question, from those whom I knew to be of the same political principles with myself, and with whom I generally thought and acted, a consciousness of the fallibility of the human mind, and of my own in particular, with a respect for the accumulated judgment of my friends, has induced me to suspect erroneous impressions in myself, to suppose my own opinion wrong, and to act with them on theirs. The want of this spirit of compromise, or of self-distrust, proudly, but falsely called independence, is what gives the federalists victories which they could never obtain, if these brethren could learn to respect the opinions of their friends more than of their enemies, and prevents many able and honest men from doing all the good they otherwise might do. I state these considerations because they have often quieted my own conscience in voting and acting on the judgment of others against my own; and because they may suggest doubts to yourself in the present case. Our Executive and legislative au-

stamps of logic and eloquence which mark everything coming from you, and place the doctrines of the Economists in their strongest points of view. My present retirement and unmeddling disposition make of this *une question viseuse pour moi.* But after reading the observations with great pleasure, I forwarded

thorities are the choice of the nation, and possess the nation's confidence. They are chosen because they possess it, and the recent elections prove it has not been abated by the attacks which have for some time been kept up against them. If the measures which have been pursued are approved by the majority, it is the duty of the minority to acquiesce and conform. It is true indeed that dissentients have a right to go over to the minority, and to act with them. But I do not believe your mind has contemplated that course, that it has deliberately viewed the strange company into which it may be led, step by step, unintended and unperceived by itself. The example of John Randolph is a caution to all honest and prudent men, to sacrifice a little of self-confidence, and to go with their friends, although they may sometimes think they are going wrong. After so long a course of steady adherence to the general sentiments of the republicans, it would afflict me sincerely to see you separate from the body, become auxiliary to the enemies of our government, who have to you been the bitterest enemies, who are now chuckling at the prospect of division among us, and, as I am told, are subscribing for your paper. The best indication of error which my experience has tested, is the approbation of the federalists. Their conclusions necessarily follow the false bias of their principles. I claim, however, no right of guiding the conduct of others; but have indulged myself in these observations from the sincere feelings of my heart. Retired from all political interferences I have been induced into this one by a desire, first of being useful to you personally, and next of maintaining the republican ascendency. Be its effect what it may, I am done with it, and shall look on as an inactive, though not an unfeeling, spectator of what is to ensue. As far as my good will may go, for I can no longer act, I shall adhere to my government executive and legislative, and, as long as they are republican, I shall go with their measures, whether I think them right or wrong; because I know they are honest, and are wiser and better informed than I am. In doing this, however, I shall not give up the friendship of those who differ from me, and who have equal right with myself to shape their own course. In this disposition be assured of my continued esteem and respect.

P. S. Be so good as to consider the extract from my friend's letter as confidential, because I have not his permission to make this use of it.

He also wrote to William Wirt.

MONTICELLO, March 30, 1811.

DEAR SIR,—Mr. Dabney Carr has written to you on the situation of the editor of the Aurora, and our desire to support him.

This paper has unquestionably rendered incalculable services to republicism

them to the President and Mr. Gallatin, in whose hands they may be useful. Yet I do not believe the change of our system of taxation will be forced on us so early as you expect, if war be avoided. It is true we are going greatly into manufactures; but the mass of them are household manufactures of the coarse arti-

through all its struggles with the federalists, and has been the rallying point for the orthodoxy of the whole Union. It was our comfort in the gloomiest days, and is still performing the office of a watchful sentinel. We should be ungrateful to desert him, and unfaithful to our own interests to lose him. Still, I am sensible, and I hope others are so too, that one of his late attacks is as unfounded, as it is injurious to the republican cause. I mean that on Mr. Gallatin, than whom there is no truer man, and who, after the President, is the ark of our safety.

I have thought it material that the editor should understand that that attack has no part in the motives for what we may do for him: that we do not, thereby, make ourselves partisans against Mr. Gallatin; but while we differ from him on that subject, we retain a just sense of all his other services, and will not be wanting as far as we can aid him.

For this purpose I have written him the enclosed answer to his letter, which I send for your perusal, on supposition that you concur in the sentiment, and would be unwilling he should misconstrue the service you may be able to render him, as an encouragement to proceed in the mischievous undertaking of writing down Mr. Gallatin. Be so good as to return the paper when read; and to be assured of my sincere and constant attachment and respect.

MONTICELLO, May 3, 1811.

DEAR SIR,—The interest you were so kind as to take, at my request in the case of Duane, and the communication to you of my first letter to him, entitle you to a commission of the second, which will probably be the last. I have ventured to quote your letter in it, without giving your name, and even softening some of its expressions respecting him. It is possible Duane may be reclaimed as to Mr. Madison—but as to Mr. Gallatin, I despair of it. That enmity took its rise from a suspicion that Mr. Gallatin interested himself in the election of their governor, against the views of Duane and his friends. I do not believe Mr. Gallatin meddled in it. I was in conversation with him nearly every day during the contest, and I never heard him express any bias in the case. The ostensible grounds of the attack on Mr. Gallatin, are all either false or futile. 1st. They urge his conversations with John Randolph. But who has revealed these conversations? What evidence have we of them? merely some oracular sentences from J. R., uttered in the heat of declamation, and never stated with all their circumstances. For instance, that a cabinet member informed him there was no cabinet. But Duane himself has always denied there could be a legal one. Besides, the fact was true at that moment, to-wit: early

cles worn by the laborers and farmers of the family. These I verily believe we shall succeed in making to the whole extent of our necessities. But the attempts at fine goods will probably be abortive. They are undertaken by company establishments, and chiefly in the towns; will have little success and short continu-

in the session of Congress. I had been absent from Washington from the middle of July to within three weeks of their meeting. During the separation of the members there could be no consultation, and between our return to Washington and the meeting of Congress, there really had arisen nothing requiring general consultation, nothing which could not be done in the ordinary way by consultation between the President and the head of the department to which the matter belonged, which is the way everything is transacted which is not difficult as well as important. Mr. Gallatin might therefore have said this as innocently as truly, and a malignant perversion of it was perfectly within the character of John Randolph. But the story of the two millions. Mr. Gallatin satisfied us that this affirmation of J. R. was as unauthorized as the fact itself was false. It resolves itself, therefore, into his inexplicit letter to a committee of Congress. As to this, my own surmise was that Mr. Gallatin might have used some hypothethical expression in conversing on that subject, which J. R. made a positive one, and he being a duellist, and Mr. Gallatin with a wife and children depending on him for their daily subsistence, the latter might wish to avoid collision and insult from such a man.

But they say he was hostile to me. This is false. I was indebted to nobody for more cordial aid than to Mr. Gallatin; nor could any man more solicitously interest himself in behalf of another than he did of myself. His conversations with Erskine are objected as meddling out of his department. Why then do they not object to Mr. Smith's with Rose? The whole nearly of that negotiation, as far as it was transacted verbally, was by Mr. Smith. The business was in this way explained informally; and, on understandings thus obtained, Mr. Madison and myself shaped our formal proceedings. In fact, the harmony among us was so perfect, that whatever instrument appeared most likely to effect the object was always used without jealousy. Mr. Smith happened to catch Mr. Rose's favour and confidence at once. We perceived that Rose would open himself more frankly to him than to Mr. Madison, and we, therefore, made him the medium of obtaining an understanding of Mr. Rose.

Mr. Gallatin's support of the bank has, I believe, been disapproved by many. He was not in Congress when that was established, and, therefore, had never committed himself publicly on the constitutionality of that institution, nor do I recollect ever to have heard him declare himself on it. I know he derived immense convenience from it, because they gave the effect of ubiquity to his money wherever deposited. Money in New Orleans or Maine was, at his command and by their agency, transformed in an instant into money in London, in Paris, Amsterdam or Canton. He was therefore cordial to the Bank. I often press

ance in a country where the charms of agriculture attract every being who can engage in it. Our revenue will be less than it would be were we to continue to import instead of manufacturing our coarse goods. But the increase of population and production will keep pace with that of manufactures, and maintain the

him to divide the public deposits among all the respectable banks, being indignant myself at the open hostility of that institution to a government on whose treasures they were fattening. But his repugnance to it prevented my persisting. And, if he was in favour of the Bank—what is the amount of that crime or error in which he had a majority, save one, in each house of Congress as participators? Yet, on these facts endeavours are made to drive from the administration the ablest man, except the President himself, because he is unwilling to part with so able a counsellor. I believe Duane to be a very honest man, and sincerely republican; but his passions are stronger than his prudence, and his personal as well as general antipathies render him very intolerant. These traits lead him astray, and require his readers—even those who value him for his steady support of the republican cause, to be on their guard against his occasional aberrations. He is eager for war against England,—hence his abuse of the two last Congresses. But the people wish for peace. The re-election of the same men proves it; and, indeed, war against Bedlam would be just as rational as against Europe, in its present condition of total demoralizasion. When peace becomes more losing than war, we may prefer the latter on principles of pecuniary calculation. But for us to attempt a war to reform all Europe, and bring them back to principles of morality and a respect for equal rights of nations, would show us to be only maniacs of another character. We should, indeed, have the merit of the good intentions, as well as the folly, of the hero of La Mancha.—But I am getting beyond the object of my letter, and will, therefore, here close it, with assurances of my great esteem and respect.

MONTICELLO, May 3, 1811.

I have rejoiced to see Ritchie declare himself in favor of the President on the late attack against him, and wish he may do the same as to Mr. Gallatin. I am sure he would if his information was full. I have not an intimacy with him which might justify my writing to him directly, but the enclosed letter to you is put into such a form as might be shown to him, if you think proper to do so. Perhaps the facts stated in it, probably unknown to him, may have some effect. But do in this as you think best. Be so good as to return the letter to Duane, being my only copy, and to be assured of my affectionate esteem and respect.

He wrote, too, to Madison.

MONTICELLO, Apr. 24, 11.

DEAR SIR,—Yours of the 19th is received. I have carefully examined my letter files from July 1808 to this day, & find among them no such anonymous

quantum of exports at the present level at least; and the imports need be equivalent to them, and consequently the revenue on them be undiminished. I keep up my hopes that if war be avoided, Mr. Madison will be able to complete the payment of the national debt within his term, after which one-third of the present revenue would support the government. Your information that a commencement of excise had been again made, is entirely unfounded. I hope the death blow to that most vexatious and unproductive of all taxes was given at the commencement of my administration, and believe its revival would give

letter as you mention. Indeed the strong impression on my memory is that I never received an Anonymous letter from England, or from any other country than our own.

Certain newspapers are taking a turn which gives me uneasiness. Before I was aware of it, I was led to an interference which tho' from just motives, I should not, at a later moment, have shaped exactly as I did. I cannot therefore repress the desire to communicate it fully to you. On the 24th of March I received a friendly letter from Duane, informing me of the distress into which he had been thrown by his former friends, Lieper & Clay, withdrawing their endorsements for him at the banks; the latter expressly for his attacks on John Randolph, the former without assigning any particular cause: & he concluded by asking whether, in Virginia, where he had been flattered by the support of his paper, 80. gentlemen could not be found, who would advance him their hundred Dollars apiece, to be repaid at short periods. I immediately engaged Mr. Peter Carr here, & Mr. Wirt in Richmond to set the experiment afoot, & one of these engaged a friend in Baltimore to do the same. But I mentioned to these gentlemen that to apprise Duane of the grounds on which we interested ourselves for him, to wit, his past services to the cause of republicanism, & that he might not mistake it as an approbation of his late attacks on Mr. Gallatin, of which we unequivocally disapproved, I would write him a letter. I accordingly wrote him the one now inclosed, which I previously communicated to Messrs. Carr & Wirt. It did not leave this till the 1st of April. The thing was going on hopefully enough, when his papers of the 4th & 8th arrived here, the latter written probably after he had received my letter. The effect at Baltimore I have not learned but every person who had offered, here or at Richmond to join in aiding him, immediately withdrew, considering him as unequivocally joining the banners of the opposition, federal or factious. I have to give an account of this to Duane, but am waiting, in expectation of an answer to mine of March 26. In that I shall make one effort more to reclaim him from the dominion of his passions, but I expect it will be the last, and as unavailing as the former.

I could not be satisfied until I informed you of this transaction and must even.

the death blow to any administration whatever. In most of the middle and southern States some land tax is now paid into the State treasury, and for this purpose the lands have been classed and valued, and the tax assessed according to that valuation. In these an excise is most odious. In the eastern States land taxes are odious, excises less unpopular. We are all the more reconciled to the tax on importations, because it falls exclusively on the rich, and with the equal partition of intestate's estates, constitute the best agrarian law. In fact, the poor man in this country who uses nothing but what is made within his own farm or family, or within the United States, pays not a farthing of tax to the general government, but on his salt; and should we go into that manufacture as we ought to do, we will pay not one cent. Our revenues once liberated by the discharge of the public debt, and its

request you to communicate it to Mr. Gallatin: for altho the just tribute rendered him in the letter was certainly never meant to meet his eyes yet it is there, among other things, it must go to him. Ritchie has been under hesitation. His paper of the 16th decides his course as to yourself, and I propose to set him to rights, as to Mr. Gallatin, through a letter to Wirt, in which I shall expose the falsehood or futility of the facts they have harped upon. All this however is confidential to yourself & Mr. Gallatin; because, while I wish to do justice to truth, I wish also to avoid newspaper observation.

With respect to the opposition threatened, altho it may give some pain, no injury of consequence is to be apprehended. Duane flying off from the government, may, for a little while, throw confusion into our ranks as John Randolph did. But, after a moment of time to reflect & rally, & to see where he is, we shall stand our ground with firmness. A few malcontents will follow him, as they did John Randolph, & perhaps he may carry off some well meaning Anti-Snyderites of Pennsylvania. The federalists will sing Hosannas, & the world will thus know of a truth what they are. This new minority will perhaps bring forward their new favorite, who seems already to have betrayed symptoms of consent. They will blast him in the bud, which will be no misfortune. They will sound the tocsin against the antient dominion, and anti-dominionism may become their rallying point. And it is better that all this should happen two than six years hence.

Disregarding all this, I am sure you will pursue steadily your own wise plans, that peace, with the great belligerents at least, will be preserved until it becomes more losing than war, & that the total extinction of the national debt, & liberation of our revenues, for defence in war and improvement in peace, will seal your retirement with the blessings of your country. For all this, & for your health & happiness I pray to God fervently.

P. S. Be so good as to return the inclosed as I have no other copy.

surplus applied to canals, roads, schools, &c., and the farmer will see his government supported, his children educated, and the face of his country made a paradise by the contributions of the rich alone, without his being called on to spare a cent from his earnings. The path we are now pursuing leads directly to this end, which we cannot fail to attain unless our administration should fall into unwise hands.

Another great field of political experiment is opening in our neighborhood, in Spanish America. I fear the degrading ignorance into which their priests and kings have sunk them, has disqualified them from the maintenance or even knowledge of their rights, and that much blood may be shed for little improvement in their condition. Should their new rulers honestly lay their shoulders to remove the great obstacles of ignorance, and press the remedies of education and information, they will still be in jeopardy until another generation comes into place, and what may happen in the interval cannot be predicted, nor shall you or I live to see it. In these cases I console myself with the reflection that those who will come after us will be as wise as we are, and as able to take care of themselves as we have been. I hope you continue to preserve your health, and that you may long continue to do so in happiness, is the prayer of yours affectionately.

TO JOEL BARLOW. J. MSS.

MONTICELLO, April 16, 1811.

DEAR SIR,—I felicitate you sincerely on your destination to Paris, because I believe it will contribute both to your happiness and the public good. Yet it is not unmixed with regret. What is to become of our past revolutionary history? Of the antidotes of truth to the misrepresentations of Marshall? This example proves the wisdom of the maxim, never to put off to tomorrow what can be done to-day. But, putting aside vain regrets, I shall be happy to hear from you in your new situation. I cannot offer you in exchange the minutiæ of the Cabinet, the workings in Congress, or under-workings of those around them. General views are all which we at a distance can have, but general

views are sometimes better taken at a distance than nearer. The working of the whole machine is sometimes better seen elsewhere than at its centre. In return you can give me the true state of things in Europe, what is its real public mind at present, its disposition towards the existing authority, its secret purposes and future prospects, seasoned with the literary news. I do not propose this as an equal barter, because it is really asking you to give a dollar for a shilling. I must leave the difference to be made up from other motives. I have been long waiting for a safe opportunity to write to some friends and correspondents in France. I troubled Mr. Warden with some letters, and he kindly offered to take all I could get ready before his departure. But his departure seems not yet definitely settled, and should he not go with you, what is in your hands will be less liable to violation than in his. I therefore take the liberty of asking your care of the letters now enclosed, and their delivery through confidential hands. Most of them are of a complexion not proper for the eye of the police, and might do injury to those to whom they are addressed. Wishing to yourself and Mrs. Barlow a happy voyage, and that the execution of the duties of your mission may be attended with all agreeable circumstances, I salute you with assurance of my perfect esteem and respect.

TO JAMES MONROE. J. MSS.

MONTICELLO, May 5, 1811.

DEAR SIR,—Your favor on your departure from Richmond, came to hand in due time. Although I may not have been among the first, I am certainly with the sincerest, who congratulate you on your entrance into the national councils. Your value there has never been unduly estimated by those whom personal feelings did not misguide. The late misunderstandings at Washington have been a subject of real concern to me. I know that the dissolutions of personal friendship are among the most painful occurrences in human life. I have sincere esteem for all who have been affected by them, having passed with them eight years of great harmony and affection. These incidents are rendered more

distressing in our country than elsewhere, because our printers ravin on the agonies of their victims, as wolves do on the blood of the lamb. But the printers and the public are very different personages. The former may lead the latter a little out of their track, while the deviation is insensible; but the moment they usurp their direction and that of their government, they will be reduced to their true places. The two last Congresses have been the theme of the most licentious reprobation for printers thirsting after war, some against France and some against England. But the people wish for peace with both. They feel no incumbency on them to become the reformers of the other hemisphere, and to inculcate, with fire and sword, a return to moral order. When, indeed, peace shall become more losing than war, they may owe to their interests what these Quixotes are clamoring for on false estimates of honor. The public are unmoved by these clamors, as the re-election of their legislators shows, and they are firm to their executive on the subject of the more recent clamors.

We are suffering here, both in the gathered and the growing crop. The lowness of the river, and great quantity of produce brought to Milton this year, render it almost impossible to get our crops to market. This is the case of mine as well yours, and the Hessian fly appears alarmingly in our growing crops. Everything is in distress for the want of rain.

Present me respectfully to Mrs. Monroe, and accept yourself assurances of my constant and affectionate esteem.

TO CORNELIA JEFFERSON RANDOLPH.[1]

MONTICELLO, June 3, '11.

MY DEAR CORNELIA,—I have lately received a copy of Miss Edgeworth's Moral Tales, which seeming better suited to your years than to mine, I inclose you the first volume. The other two shall follow as soon as your mamma has read them. They are to make a part of your library. I have not looked into them,

[1] From Randall's *Life of Jefferson*, III, 633.

preferring to receive their character from you, after you shall have read them. Your family of silk-worms is reduced to a single individual. That is now spinning his broach. To encourage Virginia and Mary to take care of it, I tell them that as soon as they can get wedding gowns from this spinner, they shall be married. I propose the same to you: that, in order to hasten its work, you may hasten home; for we all wish much to see you, and to express in person, rather than by letter, the assurance of our affectionate love.

P. S. The girls desire me to add a postscript, to inform you that Mrs. Higginbotham has just given them new dolls.

TO JAMES MADISON. J. MSS.

MONTICELLO, July 3d, 1811.

DEAR SIR,—I have seen with very great concern the late address of Mr. Smith to the public. He has been very ill-advised, both personally and publicly. As far as I can judge from what I hear, the impression made is entirely unfavorable to him. Every man's own understanding readily answers all the facts and insinuations, one only excepted, and for that they look for explanations without any doubt that they will be satisfactory. What is Irving's case? I have answered the inquiries of several on this head, telling them at the same time what was really the truth, that the failure of my memory enabled me to give them rather conjectures than recollections. For in truth, I have but indistinct recollections of the case. I know that what was done was on a joint consultation between us, and I have no fear that what we did will not have been correct and cautious. What I retain of the case, on being reminded of some particulars, will reinstate the whole firmly in my remembrance, and enable me to state them to inquirers with correctness, which is the more important from the part I bore in them. I must therefore ask the favor of you to give

me a short outline of the facts, which may correct as well as supply my own recollections. But who is to give an explanation to the public? not yourself, certainly. The Chief Magistrate cannot enter the arena of the newspapers. At least the occasion should be of a much higher order. I imagine there is some pen at Washington competent to it. Perhaps the best form would be that of some one personating the friend of Irving, some one apparently from the North. Nothing labored is requisite. A short and simple statement of the case will, I am sure, satisfy the public. We are in the midst of a so-so harvest, probably one-third short of the last. We had a very fine rain on Saturday last. Ever affectionately yours.

TO ARCHIBALD STUART.[1]

MONTICELLO, Aug. 8, 11.

DEAR SIR,—I ask the favor of you to purchase for me as much fresh timothy seed as the inclosed bill will pay for, pack & forward, and that you will have the goodness to direct it to be lodged at Mr. Leitch's store in Charlottesville by the waggoner who brings it. You see how bold your indulgencies make me in intruding on your kindness.

I do not know that the government means to make known what has passed between them & Foster before the meeting of Congress but in the meantime individuals, who are in the way, think they have a right to fish it out and in this way the sum of it has become known. Great Britain has certainly come forward and declared to our government by an official paper that the conduct of France towards her during this war has obliged her to take possession of the ocean, and to determine that no commerce shall be carried on with the nations connected with France, that however she is disposed to relax in this determination so far as to permit the commerce which may be carried on thro the British ports. I have, for 3 or 4 years been confident, that knowing her own resources were not adequate to the maintenance of her present navy, she meant with it to claim the conquest of the ocean, and to permit

[1] From the original in the possession of the Virginia Historical Society.

no nation to navigate it, but on paiment of a tribute for the maintenance of the fleet necessary to secure that dominion. A thousand circumstances brought together left me without a doubt that that policy directed all her conduct, altho' not avowed. This is the first time she has thrown off the mask. The answer & conduct of the government have been what they ought to have been, & Congress is called a little earlier, to be ready to act on the receipt of the reply, for which time has been given. God bless you. From yours affectionately.[1]

TO BENJAMIN RUSH. J. MSS.

POPLAR FOREST, August 17, 1811.

DEAR SIR,—I write to you from a place ninety miles from Monticello, near the New London of this State, which I visit three or four times a year, and stay from a fortnight to a month at a time. I have fixed myself comfortably, keep some books here, bring others occasionally, am in the solitude of a hermit, and quite at leisure to attend to my absent friends. I note this to show that I am not in a situation to examine the dates of our letters, whether I have overgone the annual period of asking how you do? I know that within that time I have received one or more letters from you, accompanied by a volume of your intro-

[1] Jefferson further wrote to Stuart:

MONTICELLO, Nov. 14, 11.

DEAR SIR,—We have safely received the cask of timothy seed, as also the very excellent parcel of butter which you have been so kind as to send us; for which be pleased to accept my thanks, or properly request you to tender them with my respects to Mrs. Stuart.

You have, day since, seen the most excellent, national & dignified message of the president, & the documents accompanying it. In these you see the British government have openly avowed that they will enforce their orders of council, that is, will keep exclusive possession of the ocean, until France will allow her manufactures to go in the ships of other nations into the continent of Europe & France herself, altho she does not permit, even in time of peace, the manufactures of any nation to be brought to England in other ships but of the nation manufacturing them. In the meantime she is taking all our vessels, which is all the war she can make on her side and indeed the style of Foster's correspondence is altogether a style of defiance. Always affectionately yours.

ductory lectures, for which accept my thanks. I have read them with pleasure and edification, for I acknowledge facts in medicine as far as they go, distrusting only their extension by theory. Having to conduct my grandson through his course of mathematics, I have resumed that study with great avidity. It was ever my favorite one. We have no theories there, no uncertainties remain on the mind; all is demonstration and satisfaction. I have forgotten much, and recover it with more difficulty than when in the vigor of my mind I originally acquired it. It is wonderful to me that old men should not be sensible that their minds keep pace with their bodies in the progress of decay. Our old revolutionary friend Clinton, for example, who was a hero, but never a man of mind, is wonderfully jealous on this head. He tells eternally the stories of his younger days to prove his memory, as if memory and reason were the same faculty. Nothing betrays imbecility so much as the being insensible of it. Had not a conviction of the danger to which an unlimited occupation of the executive chair would expose the republican constitution of our government, made it conscientiously a duty to retire when I did, the fear of becoming a dotard and of being insensible of it, would of itself have resisted all solicitations to remain. I have had a long attack of rheumatism, without fever and without pain while I keep myself still. A total prostration of the muscles of the back, hips and thighs, deprived me of the power of walking, and leaves it still in a very impaired state. A pain when I walk, seems to have fixed itself in the hip, and to threaten permanence. I take moderate rides, without much fatigue; but my journey to this place, in a hard-going gig, gave me great sufferings which I expect will be renewed on my return as soon as I am able. The loss of the power of taking exercise would be a sore affliction to me. It has been the delight of my retirement to be in constant bodily activity, looking after my affairs. It was never damped as the pleasures of reading are, by the question of *cui bono?* for what object? I hope your health of body continues firm. Your works show that of your mind. The habits of exercise which your calling has given to both, will tend long to preserve them. The sedentary character of my public occupations sapped a constitution naturally sound and vigorous, aud draws it to an earlier close.

But it will still last quite as long as I wish it. There is a fulness of time when men should go, and not occupy too long the ground to which others have a right to advance. We must continue while here to exchange occasionally our mutual good wishes. I find friendship to be like wine, raw when new, ripened with age, the true old man's milk and restorative cordial. God bless you and preserve you through a long and healthy old age.

TO CLEMENT CAINE. J. MSS.

MONTICELLO, September 16, 1811.

SIR,—Your favor of April 2d was not received till the 23d of June last, with the volume accompanying it, for which be pleased to accept my thanks. I have read it with great satisfaction, and received from it information, the more acceptable as coming from a source which could be relied on. The retort on European censors, of their own practices on the liberties of man, the inculcation on the master of the moral duties which he owes to the slave, in return for the benefit of his service, that is to say, of food, clothing, care in sickness, and maintenance under age and disability, so as to make him in fact as comfortable and more secure than the laboring man in most parts of the world; and the idea suggested of substituting free whites in all household occupations and manual arts, thus lessening the call for the other kind of labor, while it would increase the public security, give great merit to the work, and will, I have no doubt, produce wholesome impressions. The habitual violation of the equal rights of the colonist by the dominant (for I will not call them the mother) countries of Europe, the invariable sacrifice of their highest interests to the minor advantages of any individual trade or calling at home, are as immoral in principle as the continuance of them is unwise in practice, after the lessons they have received. What, in short, is the whole system of Europe towards America but an atrocious and insulting tyranny? One hemisphere of the earth, separated from the other by wide seas on both sides, having a different system of interests flowing from different climates, different soils, different productions, different

modes of existence, and its own local relations and duties, is made subservient to all the petty interests of the other, to *their* laws, *their* regulations, *their* passions and wars, and interdicted from social intercourse, from the interchange of mutual duties and comforts with their neighbors, enjoined on all men by the laws of nature. Happily these abuses of human rights are drawing to a close on both our continents, and are not likely to survive the present mad contest of the lions and tigers of the other. Nor does it seem certain that the insular colonies will not soon have to take care of themselves, and to enter into the general system of independence and free intercourse with their neighboring and natural friends. The acknowledged depreciation of the paper circulation of England, with the known laws of its rapid progression to bankruptcy, will leave that nation shortly without revenue, and without the means of supporting the naval power necessary to maintain dominion over the rights and interests of different nations. The intention too, which they now formally avow, of taking possession of the ocean as their exclusive domain, and of suffering no commerce on it but through their ports, makes it the interest of all mankind to contribute their efforts to bring such usurpations to an end. We have hitherto been able to avoid professed war, and to continue to our industry a more salutary direction. But the determination to take all our vessels bound to any other than her ports, amounting to all the war she can make (for we fear no invasion), it would be folly in us to let that war be all on one side only, and to make no effort towards indemnification and retaliation by reprisal. That a contest thus forced on us by a nation a thousand leagues from us both, should place your country and mine in relations of hostility, who have not a single motive or interest but of mutual friendship and interchange of comforts, shows the monstrous character of the system under which we live. But however, in the event of war, greedy individuals on both sides, availing themselves of its laws, may commit depredations on each other, I trust that our quiet inhabitants, conscious that no cause exists but for neighborly good will, and the furtherance of common interests, will feel only those brotherly affections which nature has ordained to be those of our situation.

A letter of thanks for a good book has thus run away from its

subject into fields of speculation into which discretion perhaps should have forbidden me to enter, and for which an apology is due. I trust that the reflections I hazard will be considered as no more than what they really are, those of a private individual, withdrawn from the councils of his country, uncommunicating with them, and responsible alone for any errors of fact or opinion expressed; as the reveries, in short, of an old man, who, looking beyond the present day, looks into times not his own, and as evidences of confidence in the liberal mind of the person to whom they are so freely addressed. Permit me, however, to add to them my best wishes for his personal happiness, and assurances of the highest consideration and respect.

TO JAMES MONROE. J. MSS.

MONTICELLO, January 11, 1812.

DEAR SIR,—I thank you for your letter of the 6th. It is a proof of your friendship, and of the sincere interest you take in whatever concerns me. Of this I have never had a moment's doubt, and have ever valued it as a precious treasure. The question indeed whether I knew or approved of General Wilkinson's endeavors to prevent the restoration of the right of deposit at New Orleans, could never require a second of time to answer. But it requires some time for the mind to recover from the astonishment excited by the boldness of the suggestion. Indeed, it is with difficulty I can believe he has really made such an appeal; and the rather as the expression in your letter is that you have "casually heard it," without stating the degree of reliance which you have in the source of information. I think his understanding is above an expedient so momentary and so finally overwhelming. Were Dearborne and myself dead, it might find credit with some. But the world at large, even then, would weigh for themselves the dilemma, whether it was more probable that, in the situation I then was, clothed with the confidence and power of my country, I should descend to so unmeaning an act of treason, or that he in the wreck now threatening him, should wildly lay hold of any plank. They would weigh his motives and views against those of

Dearborne and myself, the tenor of his life against that of ours, his Spanish mysteries against my open cherishment of the Western interests; and, living as we are, and ready to purge ourselves by any ordeal, they must now weigh, in addition, our testimony against his. All this makes me believe he will never seek this refuge. I have ever and carefully restrained myself from the expression of any opinion respecting General Wilkinson, except in the case of Burr's conspiracy, wherein, after he had got over his first agitations, we believed his decision firm, and his conduct zealous for the defeat of the conspiracy, and although injudicious, yet meriting, from sound intentions, the support of the nation. As to the rest of his life, I have left it to his friends and his enemies, to whom it furnishes matter enough for disputation. I classed myself with neither, and least of all in this time of his distresses, should I be disposed to add to their pressure. I hope, therefore, he has not been so imprudent as to write our names in the pannel of his witnesses.

Accept the assurances of my constant affections.

TO JOHN ADAMS.[1]

J. MSS.

MONTICELLO, January 21, 1812.

DEAR SIR,—I thank you before hand (for they are not yet arrived) for the specimens of homespun you have been so kind as to forward me by post. I doubt not their excellence, knowing how far you are advanced in these things in your quarter. Here we

[1] Concerning this letter Jefferson wrote to Benjamin Rush:

MONTICELLO, Jan. 21, 12.

DEAR SIR,—As it is through your kind interposition that two old friends are brought together, you have a right to know how the first approaches are made. I send you, therefore a copy of Mr. Adams' letter to me & of my answer. To avoid the subject of his family, on which I could say nothing, I have written him a rambling, gossiping epistle which gave openings for the expression of sincere feelings, & may furnish him ground of reciprocation, if he merely waited for the first declaration; for so I would construe the reserve of his letter. In the course of the spring I can have a good occasion of writing to him again on sending him a law case of Livingston's against myself, which having been dismissed out of court, for want of jurisdiction, remains unexplained to the world. This explanation I shall print for my own justification; and a copy may not be unamusing to one who is himself a profound lawyer.

do little in the fine way, but in coarse and middling goods a great deal. Every family in the country is a manufactory within itself, and is very generally able to make within itself all the stouter and middling stuffs for its own clothing and household use. We consider a sheep for every person in the family as sufficient to clothe it, in addition to the cotton, hemp and flax which we raise ourselves. For fine stuff we shall depend on your northern manufactories. Of these, that is to say, of company establishments, we have none. We use little machinery. The spinning jenny, and loom with the flying shuttle, can be managed in a family; but nothing more complicated. The economy and thriftiness resulting from our household manufactures are such that they will never again be laid aside; and nothing more salutary for us has ever happened than the British obstructions to our demands for their manufactures. Restore free intercourse when they will, their commerce with us will have totally changed its form, and the articles we shall in future want from them will not exceed their own consumption of our produce.

A letter from you calls up recollections very dear to my mind. It carries me back to the times when, beset with difficulties and dangers, we were fellow-laborers in the same cause, struggling for what is most valuable to man, his right of self-government. Laboring always at the same oar, with some wave ever ahead, threatening to overwhelm us, and yet passing harmless under our bark, we knew not how we rode through the storm with heart and hand, and made a happy port. Still we did not expect to be without rubs and difficuties; and we have had them. First, the detention of the western posts, then the coalition of Pilnitz, outlawing our commerce with France, and the British enforcement of the outlawry. In your day, French depredations; in mine, English, and the Berlin and Milan decrees; now the English orders of council, and the piracies they authorize. When these shall be over, it will be the impressment of our seamen or something else; and so we have gone on, and so we shall go on puzzled and prospering beyond example in the history of man. And I do believe we shall continue to grow, to multiply and prosper until we exhibit an association, powerful, wise and happy beyond what has yet been seen by men. As for France and England, with all their

preëminence in science, the one is a den of robbers, and the other of pirates. And if science produces no better fruits than tyranny, murder, rapine and destitution of national morality, I would rather wish our country to be ignorant, honest and estimable, as our neighboring savages are. But whither is senile garrulity leading me? Into politics, of which I have taken final leave. I think little of them and say less. I have given up newspapers in exchange for Tacitus and Thucydides, for Newton and Euclid, and I find myself much the happier. Sometimes, indeed, I look back to former occurrences, in remembrance of our old friends and fellow-laborers, who have fallen before us. Of the signers of the Declaration of Independence, I see now living not more than half a dozen on your side of the Potomac, and on this side, myself alone. You and I have been wonderfully spared, and myself with remarkable health, and a considerable activity of body and mind. I am on horseback three or four hours of every day; visit three or four times a year a possession I have ninety miles distant, performing the winter journey on horseback. I walk little, however, a single mile being too much for me, and I live in the midst of my grandchildren, one of whom has lately promoted me to be a great grandfather. I have heard with pleasure that you also retain good health, and a greater power of exercise in walking than I do. But I would rather have heard this from yourself, and that, writing a letter like mine, full of egotisms, and of details of your health, your habits, occupations and enjoyments, I should have the pleasure of knowing that in the race of life, you do not keep, in its physical decline, the same distance ahead of me which you have done in political honors and achievements. No circumstances have lessened the interest I feel in these particulars respecting yourself; none have suspended for one moment my sincere esteem for you, and I now salute you with unchanged affection and respect.

TO THE GOVERNOR OF VIRGINIA.

(JAMES BARBOUR.) J. MSS.

MONTICELLO, January 22, 1812.

DEAR SIR,—Your favor of the 14th has been duly received, and I sincerely congratulate you, or rather my country, on the just

testimony of confidence which it has lately manifested to you. In your hands I know that its affairs will be ably and honestly administered.

In answer to your inquiry whether, in the early times of our government, where the council was divided, the practice was for the Governor to give the deciding vote? I must observe that, correctly speaking, the Governor not being a counsellor, his vote could make no part of an advice of council. That would be to place an advice on their journals which they did not give, and could not give because of their equal division. But he did what was equivalent in effect. While I was in the administration, no doubt was ever suggested that where the council, divided in opinion, could give no advice, the Governor was free and bound to act on his own opinion and his own responsibility. Had this been a change of the practice of my predecessor, Mr. Henry, the first governor, it would have produced some discussion, which it never did. Hence, I conclude it was the opinion and practice from the first institution of the government. During Arnold's and Cornwallis' invasion, the council dispersed to their several homes, to take care of their families. Before their separation, I obtained from them a capitulary of standing advices for my government in such cases as ordinarily occur: such as the appointment of militia officers, justices, inspectors, &c., on the recommendations of the courts; but in the numerous and extraordinary occurrences of an invasion, which could not be foreseen, I had to act on my own judgment and my own responsibility. The vote of general approbation, at the session of the succeeding winter, manifested the opinion of the Legislature, that my proceedings had been correct. General Nelson, my successor, staid mostly, I think, with the army; and I do not believe his council followed the camp, although my memory does not enable me to affirm the fact. Some petitions against him for impressment of property without authority of law, brought his proceedings before the next Legislature; the questions necessarily involved were whether necessity, without express law, could justify the impressment, and if it could, whether he could order it without the advice of council. The approbation of the Legislature amounted to a decision of both questions. I remember this case the more especially,

because I was then a member of the Legislature, and was one of those who supported the Governor's proceedings, and I think there was no division of the House on the question. I believe the doubt was first suggested in Governor Harrison's time, by some member of the council, on an equal division. Harrison, in his dry way, observed that instead of one governor and eight counsellors, there would then be eight governors and one counsellor, and continued, as I understood, the practice of his predecessors. Indeed, it is difficult to suppose it could be the intention of those who framed the constitution, that when the council should be divided the government should stand still; and the more difficult as to a constitution formed during a war, and for the purpose of carrying on that war, that so high an officer as their Governor should be created and salaried, merely to act as the clerk and authenticator of the votes of the council. No doubt it was intended that the advice of the council should control the governor. But the action of the controlling power being withdrawn, his would be left free to proceed on its own responsibility. Where from division, absence, sickness or other obstacle, no advice could be given, they could not mean that their Governor, the person of their peculiar choice and confidence, should stand by, an inactive spectator, and let their government tumble to pieces for want of a will to direct it. In executive cases, where promptitude and decision are all important, an adherence to the letter of a law against its probable intentions, (for every law must intend that itself shall be executed,) would be fraught with incalculable danger. Judges may await further legislative explanations, but a delay of executive action might produce irretrievable ruin. The State is invaded, militia to be called out, an army marched, arms and provisions to be issued from the public magazines, the Legislature to be convened, and the council is divided. Can it be believed to have been the intention of the framers of the constitution, that the constitution itself and their constituents with it should be destroyed for want of a will to direct the resources they had provided for its preservation? Before such possible consequences all verbal scruples must vanish; construction must be made *secundum arbitrium boni viri*, and the constitution be rendered a practicable thing. That exposition of it must be

vicious, which would leave the nation under the most dangerous emergencies without a directing will. The cautious maxims of the bench, to seek the will of the legislator, and his words only, are proper and safer for judicial government. They act ever on an individual case only, the evil of which is partial, and gives time for correction. But an instant of delay in executive proceedings may be fatal to the whole nation. They must not, therefore, be laced up in the rules of the judiciary department. They must seek the intention of the legislator in all the circumstances which may indicate it in the history of the day, in the public discussions, in the general opinion and understanding, in reason and in practice. The three great departments having distinct functions to perform, must have distinct rules adapted to them. Each must act under its own rules, those of no one having any obligation on either of the others. When the opinion first began that a governor could not act when his council could not or would not advise, I am uninformed. Probably not till after the war; for, had it prevailed then, no militia could have been opposed to Cornwallis, nor necessaries furnished to the opposing army of Lafayette. These, Sir, are my recollections and thoughts on the subject of your inquiry, to which I will only add the assurances of my great esteem and respect.

TO JAMES MADISON. J. MSS.

MONTICELLO Feb. 19. 12

DEAR SIR,—Yours of the 12th has been duly received. I have much doubted whether, in case of a war, Congress would find it practicable to do their part of the business. That a body containing 100 lawyers in it, should direct the measures of a war, is, I fear, impossible; and that thus that member of our Constitution, which is its bulwark, will prove to be an impracticable one from it's cacoethes loquendi. It may be doubted how far it has the power, but I am sure it has not the resolution to reduce the right of talking to practicable limits. * * *

TO WILLIAM WIRT. J. MSS.

MONTICELLO Apr. 12. 12

DEAR SIR,—Mr. Livingston's suit having gone off on the plea to the jurisdiction, it's foundation remains of course unexplained to the public. I have therefore concluded to make it public thro' the ordinary channel of the press. An earlier expectation of the pamphlets and the desire to send one has delayed, from post to post, my sooner acknowleging your kind aid in this case, and praying your acceptance of the remuneration I now inclose, for the trouble I gave you in reading so much stuff on the subject, and your exertions in the defence. The debt of gratitude however is of a different nature, & is sincerely felt. Considering the infinite trouble which the question of right to the Batture, & the immense volume of evidence to be taken, at New Orleans, would have given to my counsel and myself, I am well satisfied to be relieved from it, altho' I had a strong desire that the public should have been satisfied by a trial on the merits, & the abler discussion of them by my counsel.

A love of peace and tranquility, strengthened by age and a lassitude of business, renders it extremely disquieting to me to be harrassed by vexatious lawsuits by persons who have no earthly claim on me, in cases where I have been merely acting for others. In Nov. last I was served with a subpœna in chancery at the suit of the executors of Mrs. Randolph (mother to Mr. E. R.) in which Mr. Norborne Nicholas, & perhaps a dozen others, are also named defendants. The object of this I cannot devine: I never had any matter of business with Mrs. Randolph, nor ever saw a farthing of hers. I once indeed transacted a single affair of hers as a friend, at her earnest sollicitation, to relieve her from pressing distress, and under a regular power of attorney. How this can have subjected me to pass the remainder of my life in a court of chancery is as incomprehensible, as it is discouraging to the indulgence of our feelings in the services asked from us by our friends. I have taken measures to get a copy of the bill; and if a substantive defence is required from me, I shall ask the favor of your attention to it, as I have done in the same case of Mr. Hay.

The enclosed paper written for you a year or two ago, has laid by me with a view still to add something to it, but on reflection, I send it as it is.[1] The additional matter contemplated respected Mr. Henry's ravenous avarice, the only passion paramount to his love of popularity. The facts I have heard on that subject are not

[1] The following is the paper alluded to:

My acqce with mr Henry commenced in the winter of 1759-60. On my way to college I passed the Xmas holidays at Colo Dandridge's, in Hanover, to whom mr Henry was a near neighbor. During the festivity of the season I met him in society every day, & we became well acquainted, altho I was much his junior, being then but in my 17th year & he a married man. The spring following he came to Wmsbg to obtain a license as a lawyer, & he called on me at college. He told me he had been reading law only 6. weeks. Two of the examiners, however, Peyton & John Randolph, men of great facility of temper, signed his license with as much reluctance as their dispositions would permit them to shew. Mr Wythe absolutely refused. Rob: C. Nicholas refused also at first, but on repeated importunities and promises of future reading, he signed. These facts I had afterwds from the gentlemen themselves, the two Randolphs acknoleging he was very ignorant of law, but that they perceived him to be a young man of genius, & did not doubt he would soon qualify himself.

He was some time after elected a representative of the county of Hanover and brought himself into public notice on the following occasion, which I think took place in 1762, or a year sooner or later. The gentlemen of this country had at that time become deeply involved in that state of indebtment which has since ended in so general a crush of their fortunes. Robinson the speaker was also Treasurer, an officer always chosen by the Assembly. He was an excellent man, liberal, friendly and rich. He had been drawn in to lend on his own account great sums of money to persons of this description, & especially those who were of the assembly. He used freely for this purpose the public money, confiding for it's replacement in his own means & the securities he had taken on those loans. About this time however he became sensible that his deficit to the public was become so enormous as that a discovery must soon take place, for as yet the public had no suspicion of it. He devised therefore with his friends in the assembly a plan for a public loan office to a certain amount, from which monies might be lent on public acct & on good landed security to individuals. This was accordingly brought forward in the House of Burgesses, and had it succeeded, the debts due to Robinson on these loans would have been transferred to the public, & his deficit thus compleetly covered. This state of things however was not yet known; but mr Henry attacked the scheme on other general grounds in that style of bold grand and overwhelming eloquence, for which he became so justly celebrated afterwds. He carried with him all the members of the upper counties, and left a minority composed merely of the aristocracy of the country. From this time his popularity swelled apace,

within my own knolege, & ought not to be hazarded but on better testimony than I possess. And if they are true, you have been in a much better situation than I was to have information of them. I salute you with great & affectionate esteem and respect.

& Robinson dying 4. years after, his deficit was brought to light, & discovered the true object of the proposition.

The next great occasion on which he signalised himself was that which may be considered as the dawn of the Revoln in March 1764. The British parliament had passed resolns. preparatory to the levying a revenue on the colonies by a stamp tax. The Virginia assembly at their next session, prepared & sent to England very elaborate representns addressed in separate forms to the King, Lords and Commons, against the right to impose such taxes. The famous stamp act was, however, past in Jan., 1765 and in the session of the Virg[a] assembly of May following, mr. Henry introduced the celebrated resolns of that date. These were drawn by George Johnson, a lawyer of the Northern neck, a very able, logical and correct speaker. Mr Henry moved and Johnston seconded these resolns successively. They were opposed by Randolph, Blood, Pendleton, Nicholas, Wythe & all the old members whose influence in the house had till then been unbroken. They did it, not from any question of our rights, but on the ground that the same sentiments had been at their preceeding session expressed in a more conciliatory form to which the answers were not yet received. But torrents of sublime eloquence from mr Henry, backed up by the solid reasoning of Johnston, prevailed. The last however, & strongest resoln was carried but by a single vote. The debate on it was most bloody. I was then but a student and was listening at the door of the lobby (for as yet there was no gallery) when Peyton Randolph, after the vote, came out of the house and said, as he entered the lobby " By god I would have given 500 guineas for a single vote," for as this would have divided the house, the vote of Robinson, the speaker, would have rejected the resolution. Mr. Henry left town that evening and the next morning before the meeting of the house, I saw Peter Randolph, then of the council, but who had formerly been clerk in the house, for an hour or two at the clerk's table searching the old journals for a precedent while he was clerk, of a resolution of the house erased from the journals by a subsequent order of the house. Whether he found it or not I do not remember; but when the house met, a motion was made & carried to erase that resoln; and there being at that day but one printer & he entirely under the controul of the governor, I do not know that this resoln ever appeared in print. I write this from memory, but the impression made on me, at the time, was such as to fix the facts indelibly in my mind.

I came into the Legislature as a burgess for Albemarle in the winter of 1768/9. on the accession of L'd. Botetourt to the government and about 9. years after mr. Henry had entered on the stage of public life. The exact conformity of our political opinions strengthened our friendship, and indeed, the old leaders of the house being substantially firm, we had not after this any

P. S. Altho the pamphlets have been some weeks at Fredsbg and expected by every stage, I am still disappointed in receiving them. I detain my letter therefore no longer, but will inclose one on it's arrival.

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differences of opn in the H. of B. on matters of principles, tho sometimes on matters of form. We were dissolved by Ld Botetourt at our first session ; but all were re-elected. There being no divisions among us, occasions became very rare for any display of mr H's eloquence. In ordinary business he was a very inefficient member. He could not draw a bill on the most simple subject which wd bear legal criticism, or even the ordinary criticism which looks to correctness of style & ideas, for indeed there was no accuracy of idea in his head. His imagination was copious, poetical, sublime, but vague also. He said the strongest things in the finest language, but without logic, without arrangement, desultoryly. This appeared eminently & in a mortifying degree in the 1st session of the 1st Congress which met in Sep 1774.

Mr Henry & Richard Henry Lee took at once the lead in that assembly, and by the high style of their eloquence were in the first days of the session looked up to as primi inter pares. A petition to the King, an Address to the people of G. Britain, and a Memorial to the people of British America were agreed to be drawn. Lee, Henry & others were appointed for the first, & Lee, Livingston & Jay for the two last. The splendor of their debut occasioned mr Henry to be designated by his commee to draw the petn to the king, with which they were charged, and mr Lee was charged with the address to the people of England. The last was first reported. On reading it every countenance fell and a dead silence ensued for many minutes. At length, it was laid on the table for perusal and considn till the next day when first one member, and then another arose, & paying some faint compliment to the composition observed that there were still certain considerns not expressed in it, which should properly find a place in it. At length mr Livingston (the govr of N. J.) a member of the commee rose and observed that a friend of his had been sketching what he had thought might be proper for such an address, from which he thought some paragraphs might be advantageously introduced into the draught proposed : and he read an address which mr Jay had prepared de bene ese as it were. There was but one sentiment of admirn. The address was recommitted for amendment, and mr Jays draught reported & adopted with scarce any altern. These facts were stated to me by mr Pendleton and Colo Harrison of our own delegation, except that Colo Harrison ascribed the draught to Govr. Livingston & were afterwards confirmed to me by Gov'r Livingston, & I will presently mention an anecdote confirmative of them from mr Jay and R. H. Lee themselves.

Mr. Henry's draught of a petn to the king was equally unsuccessful, and was recommitted for amendment. Mr John Dickenson was added to the commee & a new draught prepared by him was passed.

The occasion of my learning from mr Jay that he was the author of the Ad-

TO JAMES MADISON. J. MSS.

MONTICELLO, April 17, 1812.

DEAR SIR,—The enclosed papers will explain themselves. Their coming to me is the only thing not sufficiently explained.

Your favor of the 3d came duly to hand. Although something of the kind had been apprehended, the embargo found the

dress to the people of Gr. Britain requires explanation by a statement of some preceding circumstances. The 2d session of the 1st Congress met on their own adjmt in May, 1775. Peyton Randolph was their president. In the mean time Ld. North's conciliatory proposns came over to be laid by the Governors before their Legislatures. Ld. Dunmore accdly called that of Virginia to meet in June. This obliged P. Randolph as Speaker to return. Our other old members being at Congress, he pressed me to draw the answer to Ld. North's proposn. I accdly did so, and it passed with a little softening of some expressions for which the times were not yet ripe & wire-drawing & weakening some others to satisfy individuals. I had been appointed to go on to Congress in place of Peyton Randolph, & proceed immediately, charged with presenting this answer to Congress. As it was the first which had been given, and the tone of it was strong the members were pleased with it hoping it would have a good effect on the answers of the other states. A Commee which had been appointed to prepare a Declaration to be published by Genl. Washington on his arrival at the army, having reported one, it was committed, & Dickinson & myself added to the commee. On the adjournment of the house happening to go out with Govr. Livingston, one of the Commee, I expressed to him my hope he would draw the Declaration. He modestly excused himself, & expressed his wish that I would do it. But urging him with considerable importunity, he at length said "You & I, sir, are but new acquaintances: what can have excited so earnest a desire on your part that I should be the Draughtsman?" "Why, sir," said I, "I have been informed you drew the Address to the people of Gr. Brit. I think it the first composition in the English language, & therefore am anxious this declaration should be prepared by the same pen." He replied, that I might have been "misinformed on that subject." A few days after being in conversation with R. H. Lee in Congress till a little before the meeting of the house, mr Jay observing us, came up, & taking R. H. Lee by a button of the coat said to him pretty sternly, "I understand, Sir, that you informed this gentleman that the Address to the people of Gr. Br. presented to the commee by me was drawn by Govr. Livingston." The fact was that the Commee having consisted of only Lee, Livingston, who was fath-in-l. of Jay & Jay himself & Lee's draught having been rejected & Jay's approved so unequivocally, his suspicions naturally fell on Lee as the author of the report; & the rather as they had daily much sparring in Congress, Lee being firm in the revolutionary measures, and Jay hanging heavily on their rear. I immediately stopped mr Jay, and assured him that tho' I had indeed been so

farmers and planters only getting their produce to market, and selling as fast as they could get it there. I think it caught them in this part of the State with one-third of their flour or wheat and three-quarters of their tobacco undisposed of. If we may suppose the rest of the middle country in the same situation, and

informed, it was not by mr Lee, whom I had never heard utter a word on the subject.

I found mr Henry to be a silent & almost unmeddling member in Congress. On the original opening of that body, while general grievances were the topics, he was in his element & captivated all by his bold & splendid eloquence. But as soon as they came to specific matters, to sober reasoning and solid argumentation he had the good sense to perceive that his declamation however excellent in it's proper place, had no weight at all in such an assembly as that, of cool-headed, reflecting, judicious men. He ceased therefore in a great measure to take any part in the business. He seemed indeed very tired of the place & wonderfully relieved when, by appointment of the Virginia convention to be Colo of their 1st regiment he was permitted to leave Congress about the last of July. How he acquitted himself in his military command will be better known from others. He was relieved from his position again by being appointed Governor on the first organization of the government. After my service as his successor in the same office my appointment to Congress in 1783. mission to Europe in 84. & appointment in the new govmt in 89. kept us so far apart that I had no further personal knolege of him.

Mr Henry began his career with very little property. He acted, as I have understood, as barkeeper in the tavern at Hanover C. H. for sometime. He married very young; settled, I believe, at a place called the Roundabout in Louisa, got credit for some little store of merchandize, but very soon failed. From this he turned his views to the law, for the acquisition or practice of which however he was too lazy. Whenever the courts were closed for the winter session, he would make up a party of poor hunters of his neighborhood, would go off with them to the pinywoods of Fluvanna, and pass weeks in hunting deer, of which he was passionately fond, sleeping under a tent, before a fire, wearing the same shirt the whole time, & covering all the dirt of his dress with a hunting-shirt. He never undertook to draw pleadings if he could avoid it or to manage that part of a cause & very unwillingly engaged, but as an assistant, to speak in the cause. And the fee was an indispensable preliminary, observing to the applicant that he kept no accounts, never putting pen to paper, wch was true. His powers over a jury were so irresistible that he received great fees for his services, & had the reputation of being insatiable in money. After about 10. years practice in the Country courts he came to the Genl. court where however being totally unqualified for anything but mere jury causes, he devoted himself to these, & chiefly to the criminal business. From these poor devils it was always understood that he squeezed exorbitant

that the upper and lower country may be judged by that as a mean, these will perhaps be the proportions of produce remaining in the hands of the producers. Supposing the objects of the government were merely to keep our vessels and men out of harm's way, and that there is no idea that the want of our flour

fees of 50 100. & 200. From this source he made his great profits, & they were said to be great. His other business, exclusive of the criminal, would never, I am sure, pay the expenses of his attendance. He now purchased from mr Lomax the valuable estate on the waters of Smith's river, to which he afterwards removed. The purchase was on long credit & finally paid in depreciated paper not worth oak leaves. About the close of the war he engaged in the Yazoo speculation, & bought up a great deal of depreciated paper at 2/ & 2/6 in the pound to pay for it. At the close of the war, many of us wished to reopen all accounts which had been paid in depreciated money, and have them settled by the scale of depreciation, but on this he frowned most indignantly, & knowing the general indisposition of the legislature, it was considered hopeless to attempt it with such an opponent at their head as Henry. I believe he never distinguished himself so much as on the similar question of British debts in the case of Jones & Walker. He had exerted a degree of industry in that case totally foreign to his character, and not only seemed, but had made himself really learned on the subject. Another of the great occasions on which he exhibited examples of eloquence such as probably had never been exceeded, was on the question of adopting the new constitution in 1788. To this he was most violently opposed, as is well known; and after its adoption he continued hostile to it, expressing more than any other man in the U. S. his thorough contempt & hatred of Genl. Washington. From being the most violent of all antifederalists however he was brought over to the new constitution by his Yazoo speculation, before mentioned. The Georgia legislature having declared that transaction fraudulent & void, the depreciated paper which he had bought up to pay for the Yazoo purchase was likely to remain on his hands worth nothing. But Hamilton's founding system came most opportunely to his relief, and suddenly raised his paper from 2/6 to 27/6 the pound. Hamilton became now his idol, and, abandoning the republican advocates of the constitution, the federal government on federal principles became his political creed. Genl. Washington flattered him by an appointment to a mission to Spain, which he declined; & by proposing to him the office of Secretary of State, on the most earnest sollicitations of Genl Henry Lee, who pledged himself that Henry should not accept it; for Genl Washington knew that he was entirely unqualified for it, & moreover that his self-esteem had never suffered him to act as second to any man on earth. I had this fact from information, but that of the mission to Spain is of my own knolege because after my retiring from the office of Secy of State Genl. Washington passed the papers to mr Henry through my hands. Mr Henry's apostacy sunk him to nothing in the estimation of his

will starve Great Britain, the sale of the remaining produce will be rather desirable, and what would be desired even in war, and even to our enemies. For I am favorable to the opinion which has been urged by others, sometimes acted on, and now partly so by France and Great Britain, that commerce, under certain restrictions and licenses, may be indulged between enemies mutually advantageous to the individuals, and not to their injury as belligerents. The capitulation of Amelia Island, if confirmed, might favor this object, and at any rate get off our produce now on hand. I think a people would go through a war with much less impatience if they could dispose of their produce, and that unless a vent can be provided for them, they will soon become querulous and clamor for peace. They appear at present to receive the embargo with perfect aquiescence and without a murmur, seeing the necessity of taking care of our vessels and seamen. Yet they would be glad to dispose of their produce in any way not endangering them, as by letting it go from a neutral place in British vessels. In this way we lose the carriage only; but better that than both carriage and cargo. The rising of the price of flour, since the first panic is passed away, indicates some prospects in the merchants of disposing of it. Our wheat had greatly suffered by the winter, but is as remarkably recovered by the favorable weather of the spring. Ever affectionately yours.

TO JOHN ADAMS.

J. MSS.

MONTICELLO, April 20, 1812.

DEAR SIR,—I have it now in my power to send you a piece of homespun in return for that I received from you. Not of the fine texture, or delicate character of yours, or, to drop our meta-

country. He lost at once all that influence which federalism had hoped, by cajoling him, to transfer with him to itself and a man who thro a long & active life had been the idol of his country beyond any one that ever lived, descended to the grave with less than it's indifference, and verified the saying of the philosopher, that no man must be called happy till he is dead. [Printed in *The* (Philadelphia) *Age*, July, 1867, "from the original manuscript in the office" of the paper. It was sharply criticised in the New York *World* of August 2 and 3, 1867, by William Wirt Henry.]

phor, not filled as that was with that display of imagination which constitutes excellence in Belles Lettres, but a mere sober, dry and formal piece of logic. *Ornari res ipsa negat.* Yet you may have enough left of your old taste for law reading, to cast an eye over some of the questions it discusses. At any rate, accept it as the offering of esteem and friendship.

You wish to know something of the Richmond and Wabash prophets. Of Nimrod Hews I never heard before. Christopher Macpherson I have known for twenty years. He is a man of color, brought up as a book-keeper by a merchant, his master, and afterwards enfranchized. He had understanding enough to post up his ledger from his journal, but not enough to bear up against hypochondriac affections, and the gloomy forebodings they inspire. He became crazy, foggy, his head always in the clouds, and rhapsodizing what neither himself nor any one else could understand. I think he told me he had visited you personally while you were in the administration, and wrote you letters, which you have probably forgotten in the mass of the correspondences of that crazy class, of whose complaints, and terrors, and mysticisms, the several Presidents have been the regular depositories. Macpherson was too honest to be molested by anybody, and too inoffensive to be a subject for the mad-house; although, I believe, we are told in the old book, that "every man that is mad, and maketh himself a prophet, thou shouldst put him in prison and in the stocks."

The Wabash prophet is a very different character, more rogue than fool, if to be a rogue is not the greatest of all follies. He arose to notice while I was in the administration, and became, of course, a proper subject of inquiry for me. The inquiry was made with diligence. His declared object was the reformation of his red brethren, and their return to their pristine manner of living. He pretended to be in constant communication with the Great Spirit; that he was instructed by him to make known to the Indians that they were created by him distinct from the whites, of different natures, for different purposes and placed under different circumstances, adapted to their nature and destinies; that they must return from all the ways of the whites to the habits and opinions of their forefathers; they must not eat the

flesh of hogs, of bullocks, of sheep, &c., the deer and buffalo having been created for their food; they must not make bread of wheat but of Indian corn; they must not wear linen nor woollen, but dress like their fathers in the skins and furs of animals; they must not drink ardent spirits, and I do not remember whether he extended his inhibitions to the gun and gunpowder, in favor of the bow and arrow. I concluded from all this, that he was a visionary; enveloped in the clouds of their antiquities, and vainly endeavoring to lead back his brethren to the fancied beatitudes of their golden age. I thought there was little danger of his making many proselytes from the habits and comfort they had learned from the whites, to the hardships and privations of savagism, and no great harm if he did. We let him go on, therefore, unmolested. But his followers increased till the English thought him worth corruption and found him corruptible. I suppose his views were then changed; but his proceedings in consequence of them were after I left the administration, and are, therefore, unknown to me; nor have I ever been informed what were the particular acts on his part, which produced an actual commencement of hostilities on ours. I have no doubt, however, that his subsequent proceedings are but a chapter apart, like that of Henry and Lord Liverpool, in the book of the kings of England.

Of this mission of Henry, your son had got wind in the time of the embargo, and communicated it to me. But he had learned nothing of the particular agent, although, of his workings, the information he had obtained appears now to have been correct. He stated a particular which Henry has not distinctly brought forward, which was that the Eastern States were not to be required to make a formal act of separation from the Union, and to take a part in the war against it; a measure deemed much too strong for their people; but to declare themselves in a state of neutrality, in consideration of which they were to have peace and free commerce, the lure most likely to insure popular acquiescence. Having no indications of Henry as the intermediate in this negotiation of the Essex junto, suspicions fell on Pickering, and his nephew Williams, in London. If he was wronged in this, the ground of the suspicion is to be found in his known practices and avowed opinions, as that of his accomplices in the

sameness of sentiment and of language with Henry, and subsequently by the fluttering of the wounded pigeons.

This letter, with what it encloses, has given you enough, I presume, of law and the prophets. I will only add to it, therefore, the homage of my respects to Mrs. Adams, and to yourself the assurances of affectionate esteem and respect.

TO JAMES MAURY. J. MSS.

MONTICELLO, April 25, 1812.

MY DEAR AND ANCIENT FRIEND AND CLASSMATE,—Often has my heart smote me for delaying acknowledgments to you, receiving, as I do, such frequent proofs of your kind recollection in the transmission of papers to me. But instead of acting on the good old maxim of not putting off to to-morrow what we can do to-day, we are too apt to reverse it, and not to do to-day what we can put off to to-morrow. But this duty can be no longer put off. To-day we are at peace; to-morrow, war. The curtain of separation is drawing between us, and probably will not be withdrawn till one, if not both of us, will be at rest with our fathers. Let me now, then, while I may, renew to you the declarations of my warm attachment, which in no period of life has ever been weakened, and seems to become stronger as the remaining objects of our youthful affections are fewer.

Our two countries are to be at war, but not you and I. And why should our two countries be at war, when by peace we can be so much more useful to one another? Surely the world will acquit our government from having sought it. Never before has there been an instance of a nation's bearing so much as we have borne. Two items alone in our catalogue of wrongs will forever acquit us of being the aggressors: the impressment of our seamen, and the excluding us from the ocean. The first foundations of the social compact would be broken up, were we definitively to refuse to its members the protection of their persons and property, while in their lawful pursuits. I think the war will not be short, because the object of England, long obvious, is to claim the ocean as her domain, and to exact transit duties from every

vessel traversing it. This is the sum of her orders of council, which were only a step in this bold experiment, never meant to be retracted if it could be permanently maintained. And this object must continue her in war with all the world. To this I see no termination, until her exaggerated efforts, so much beyond her natural strength and resources, shall have exhausted her to bankruptcy. The approach of this crisis is, I think, visible in the departure of her precious metals, and depreciation of her paper medium. We, who have gone through that operation, know its symptoms, its course, and consequences. In England they will be more serious than elsewhere, because half the wealth of her people is now in that medium, the private revenue of her money-holders, or rather of her paper-holders, being, I believe, greater than that of her land-holders. Such a proportion of property, imaginary and baseless as it is, cannot be reduced to vapor but with great explosion. She will rise out of its ruins, however, because her lands, her houses, her arts will remain, and the greater part of her men. And these will give her again that place among nations which is proportioned to her natural means, and which we all wish her to hold. We believe that the just standing of all nations is the health and security of all. We consider the overwhelming power of England on the ocean, and of France on the land, as destructive of the prosperity and happiness of the world, and wish both to be reduced only to the necessity of observing moral duties. We believe no more in Bonaparte's fighting merely for the liberty of the seas, than in Great Britain's fighting for the liberties of mankind. The object of both is the same, to draw to themselves the power, the wealth and the resources of other nations. We resist the enterprises of England first, because they first come vitally home to us. And our feelings repel the logic of bearing the lash of George the III. for fear of that of Bonaparte at some future day. When the wrongs of France shall reach us with equal effect, we shall resist them also. But one at a time is enough; and having offered a choice to the champions, England first takes up the gauntlet.

The English newspapers suppose me the personal enemy of their nation. I am not so. I am an enemy to its injuries, as I am to those of France. If I could permit myself to have national

partialities, and if the conduct of England would have permitted them to be directed towards her, they would have been so. I thought that in the administration of Mr. Addington, I discovered some dispositions toward justice, and even friendship and respect for us, and began to pave the way for cherishing these dispositions, and improving them into ties of mutual good will. But we had then a federal minister there, whose dispositions to believe himself, and to inspire others with a belief in our sincerity, his subsequent conduct has brought into doubt; and poor Merry, the English minister here, had learned nothing of diplomacy but its suspicions, without head enough to distinguish when they were misplaced. Mr. Addington and Mr. Fox passed away too soon to avail the two countries of their dispositions. Had I been personally hostile to England, and biased in favor of either the character or views of her great antagonist, the affair of the Chesapeake put war into my hand. I had only to open it and let havoc loose. But if ever I was gratified with the possession of power, and of the confidence of those who had entrusted me with it, it was on that occasion when I was enabled to use both for the prevention of war, towards which the torrent of passion here was directed almost irresistibly, and when not another person in the United States, less supported by authority and favor, could have resisted it. And now that a definitive adherence to her impressments and orders of council renders war no longer avoidable, my earnest prayer is that our government may enter into no compact of common cause with the other belligerent, but keep us free to make a separate peace, whenever England will separately give us peace and future security. But Lord Liverpool is our witness that this can never be but by her removal from our neighborhood.

I have thus, for a moment, taken a range into the field of politics, to possess you with the view we take of things here. But in the scenes which are to ensue, I am to be but a spectator. I have withdrawn myself from all political intermeddlings, to indulge the evening of my life with what have been the passions of every portion of it, books, science, my farms, my family and friends. To these every hour of the day is now devoted. I retain a good activity of mind, not quite as much of body, but uninterrupted

health. Still the hand of age is upon me. All my old friends are nearly gone. Of those in my neighborhood, Mr. Divers and Mr. Lindsay alone remain. If you could make it a partie quarrée, it would be a comfort indeed. We would beguile our lingering hours with talking over our youthful exploits, our hunts on Peter's mountain, with a long train of *et cetera*, in addition, and feel, by recollection at least, a momentary flash of youth. Reviewing the course of a long and sufficiently successful life, I find in no portion of it happier moments than those were. I think the old hulk in which you are, is near her wreck, and that like a prudent rat, you should escape in time. However, here, there, and everywhere, in peace or in war, you will have my sincere affections and prayers for your life, health and happiness.

TO JOHN JACOB ASTOR. J. MSS.

MONTICELLO, May 24, 1812.

SIR,—Your letter of March 14th lingered much on the road, and a long journey before I could answer it, has delayed its acknowledgment till now. I am sorry your enterprise for establishing a factory on the Columbia river, and a commerce through the line of that river and the Missouri, should meet with the difficulties stated in your letter. I remember well having invited your proposition on that subject, and encouraged it with the assurance of every facility and protection which the government could properly afford. I considered as a great public acquisition the commencement of a settlement on that point of the Western coast of America, and looked forward with gratification to the time when its descendants should have spread themselves through the whole length of that coast, covering it with free and independent Americans, unconnected with us but by the ties of blood and interest, and employing like us the rights of self-government. I hope the obstacles you state are not insurmountable; that they will not endanger, or even delay the accomplishment of so great a public purpose. In the present state of affairs between Great Britain and us, the government is justly jealous of contraventions of those commercial restrictions which have been deemed neces-

sary to exclude the use of British manufactures in these States, and to promote the establishment of similar ones among ourselves. The interests too of the revenue require particular watchfulness. But in the non-importation of British manufactures, and the revenue raised on foreign goods, the legislature could only have in view the consumption of our own citizens, and the revenue to be levied on that. We certainly did not mean to interfere with the consumption of nations foreign to us, as the Indians of the Columbia and Missouri are, or to assume a right of levying an impost on that consumption; and if the words of the laws take in their supplies in either view, it was probably unintentional, and because their case not being under the contemplation of the legislature, has been inadvertently embraced by it. The question with them would be not what manufactures these nations should use, or what taxes they should pay us on them, but whether we should give a transit for them through our country. We have a right to say we will not let the British exercise that transit. But it is our interest as well as a neighborly duty to allow it when exercised by our own citizens only. To guard against any surreptitious introduction of British influence among those nations, we may justifiably require that no Englishman be permitted to go with the trading parties, and necessary precautions should also be taken to prevent this covering the contravention of our own laws and views. But these once securely guarded, our interest would permit the transit free of duty. And I do presume that if the subject were fully presented to the legislature, they would provide that the laws intended to guard our own concerns only, should not assume the regulation of those of foreign and independent nations; still less that they should stand in the way of so interesting an object as that of planting the germ of an American population on the shores of the Pacific. From meddling however with these subjects it is my duty as well as my inclination to abstain. They are in hands perfectly qualified to direct them, and who knowing better the present state of things, are better able to decide what is right; and whatever they decide on a full view of the case, I shall implicitly confide has been rightly decided. Accept my best wishes for your success, and the assurances of my great esteem and respect.

TO JAMES MADISON. J. MSS.

MONTICELLO, May, 25 [1812].

DEAR SIR,—The difference between a communication & solicitation is too obvious to need suggestion. While the latter adds to embarrassments, the former only enlarges the field of choice. The inclosed letters are merely communications. Of Stewart I know nothing. Price who recommends him is I believe a good man, not otherwise known to me than as a partner of B. Morgan of N. O. and as having several times communicated to me useful information, while I was in the government. Timothy Matlack I have known well since the first Congress to which he was an assistant secretary. He has been always a good whig & being an active one has been abused by his opponents, but I have ever thought him an honest man. I think he must be known to yourself.

Flour, depressed under the first panic of the embargo has been rising by degrees to 8 1/2 D. This enables the upper country to get theirs to a good market. Tobacco (except of favorite qualities) is nothing. It's culture is very much abandoned. In this county what little ground had been destined for it is mostly put into corn. Crops of wheat are become very promising, altho' deluged with rain, of which 10. inches fell in 10. days and closed with a very destructive hail. I am just returned from Bedford. I believe every county South of James river, from Buckingham to the Blue ridge (the limits of my information) furnished its quota of volunteers. Your declaration of war is expected with perfect calmness, and if those in the North mean systematically to govern the majority it is as good a time for trying them as we can expect. Affectionately adieu.

TO JAMES MADISON. J. MSS.

MONTICELLO, May 30, 1812.

DEAR SIR,—Another *communication* is enclosed, and the letter of the applicant is the only information I have of his qualifications. I barely remember such a person as the secretary of Mr. Adams, and messenger to the Senate while I was of that body.

It enlarges the sphere of choice by adding to it a strong federalist. The triangular war must be the idea of the Anglomen and malcontents, in other words, the federalists and quids. Yet it would reconcile neither. It would only change the topic of abuse with the former, and not cure the mental disease of the latter. It would prevent our eastern capitalists and seamen from employment in privateering, take away the only chance of conciliating them, and keep them at home, idle, to swell the discontents; it would completely disarm us of the most powerful weapon we can employ against Great Britain, by shutting every port to our prizes, and yet would not add a single vessel to their number; it would shut every market to our agricultural productions, and engender impatience and discontent with that class which, in fact, composes the nation; it would insulate us in general negotiations for peace, making all the parties our opposers, and very indifferent about peace with us, if they have it with the rest of the world, and would exhibit a solecism worthy of Don Quixotte only, that of a choice to fight two enemies at a time, rather than to take them by succession. And the only motive for all this is a sublimated impartiality, at which the world will laugh, and our own people will turn upon us in mass as soon as it is explained to them, as it will be by the very persons who are now laying that snare. These are the hasty views of one who rarely thinks on these subjects. Your own will be better, and I pray to them every success, and to yourself every felicity.

TO JAMES MADISON.

J. MSS.

MONTICELLO, June 6, 1812.

DEAR SIR,—I have taken the liberty of drawing the attention of the Secretary at War to a small depot of military stores at New London, and leave the letter open for your perusal. Be so good as to seal it before delivery. I really thought that General Dearborne had removed them to Lynchburg, undoubtedly a safer and more convenient deposit.

Our county is the only one I have heard of which has required a draught; this proceeded from a mistake of the colonel, who

thought he could not receive individual offers, but that the whole quota, 241, must present themselves at once. Every one, however, manifests the utmost alacrity; of the 241 there having been but ten absentees at the first muster called. A further proof is that Captain Carr's company of volunteer cavalry being specifically called for by the Governor, though consisting of but 28 when called on, has got up to 50 by new engagements since their call was known. The only inquiry they make is whether they are to go to Canada or Florida? Not a man, as far as I have learned, entertains any of those doubts which puzzle the lawyers of Congress and astonish common sense, whether it is lawful for them to pursue a retreating enemy across the boundary line of the Union?

I hope Barlow's correspondence has satisfied all our Quixottes who thought we should undertake nothing less than to fight all Europe at once. I enclose you a letter from Dr. Bruff, a mighty good and very ingenious man. His method of manufacturing bullets and shot, has the merit of increasing their specific gravity greatly, (being made by composition,) and rendering them as much heavier and better than the common leaden bullet, as that is than an iron one. It is a pity he should not have the benefit of furnishing the public when it would be equally to their benefit also. God bless you.

TO JOHN ADAMS. J. MSS.

MONTICELLO, June 11, 1812.

DEAR SIR,—By our post preceding that which brought your letter of May 21st, I had received one from Mr. Malcolm on the same subject with yours, and by the return of the post had stated to the President my recollections of him. But both your letters were probably too late; as the appointment had been already made, if we may credit the newspapers.

You ask if there is any book that pretends to give any account of the traditions of the Indians, or how one can acquire an idea of them? Some scanty accounts of their traditions, but fuller of their customs and characters, are given us by most of the early

travellers among them; these you know were mostly French. Lafitau, among them, and Adair an Englishman, have written on this subject; the former two volumes, the latter one, all in 4to. But unluckily Lafitau had in his head a preconceived theory on the mythology, manners, institutions and government of the ancient nations of Europe, Asia and Africa, and seems to have entered on those of America only to fit them into the same frame, and to draw from them a confirmation of his general theory. He keeps up a perpetual parallel, in all those articles, between the Indians of America and the ancients of the other quarters of the globe. He selects, therefore, all the facts and adopts all the falsehoods which favor his theory, and very gravely retails such absurdities as zeal for a theory could alone swallow. He was a man of much classical and scriptural reading, and has rendered his book not unentertaining. He resided five years among the Northern Indians, as a Missionary, but collects his matter much more from the writings of others, than from his own observation.

Adair too had his kink. He believed all the Indians of America to be descended from the Jews; the same laws, usages, rites and ceremonies, the same sacrifices, priests, prophets, fasts and festivals, almost the same religion, and that they all spoke Hebrew. For, although he writes particularly of the Southern Indians only, the Catawbas, Creeks, Cherokees, Chickasaws and Chocktaws, with whom alone he was personally acquainted, yet he generalizes whatever he found among them, and brings himself to believe that the hundred languages of America, differing fundamentally every one from every other, as much as Greek from Gothic, yet have all one common prototype. He was a trader, a man of learning, a self-taught Hebraist, a strong religionist, and of as sound a mind as Don Quixotte in whatever did not touch his religious chivalry. His book contains a great deal of real instruction on its subject, only requiring the reader to be constantly on his guard against the wonderful obliquities of his theory.

The scope of your inquiry would scarcely, I suppose, take in the three folio volumes of Latin of De Bry. In these, facts and fable are mingled together, without regard to any favorite system.

They are less suspicious, therefore, in their complexion, more original and authentic, than those of Lafitau and Adair. This is a work of great curiosity, extremely rare, so as never to be bought in Europe, but on the breaking up and selling some ancient library. On one of these occasions a bookseller procured me a copy, which, unless you have one, is probably the only one in America.

You ask further, if the Indians have any order of priesthood among them, like the Druids, Bards or Minstrels of the Celtic nations? Adair alone, determined to see what he wished to see in every object, metamorphoses their Conjurers into an order of priests, and describes their sorceries as if they were the great religious ceremonies of the nation. Lafitau called them by their proper names, Jongleurs, Devins, Sortileges; De Bry præstigiatores; Adair himself sometimes Magi, Archimagi, cunning men, Seers, rain makers; and the modern Indian interpreters call them conjurers and witches. They are persons pretending to have communications with the devil and other evil spirits, to foretell future events, bring down rain, find stolen goods, raise the dead, destroy some and heal others by enchantment, lay spells, &c. And Adair, without departing from his parallel of the Jews and Indians, might have found their counterpart much more aptly, among the soothsayers, sorcerers and wizards of the Jews, their Gannes and Gambres, their Simon Magus, Witch of Endor, and the young damsel whose sorceries disturbed Paul so much; instead of placing them in a line with their high-priest, their chief priests, and their magnificent hierarchy generally. In the solemn ceremonies of the Indians, the persons who direct or officiate, are their chiefs, elders and warriors, in civil ceremonies or in those of war; it is the head of the cabin in their private or particular feasts or ceremonies; and sometimes the matrons, as in their corn feasts. And even here, Adair might have kept up his parallel, with ennobling his conjurers. For the ancient patriarchs, the Noahs, the Abrahams, Isaacs and Jacobs, and even after the consecration of Aaron, the Samuels and Elijahs, and we may say further, every one for himself offered sacrifices on the altars. The true line of distinction seems to be, that solemn ceremonies, whether public or private, addressed to the Great Spirit, are con-

ducted by the worthies of the nation, men or matrons, while conjurers are resorted to only for the invocation of evil spirits. The present state of the several Indian tribes, without any public order of priests, is proof sufficient that they never had such an order. Their steady habits permit no innovations, not even those which the progress of science offers to increase the comforts, enlarge the understanding, and improve the morality of mankind. Indeed, so little idea have they of a regular order of priests, that they mistake ours for their conjurers, and call them by that name.

So much in answer to your inquiries concerning Indians, a people with whom, in the early part of my life, I was very familiar, and acquired impressions of attachment and commiseration for them which have never been obliterated. Before the revolution, they were in the habit of coming often and in great numbers to the seat of government, where I was very much with them. I knew much the great Outassetè, the warrior and orator of the Cherokees; he was always the guest of my father, on his journeys to and from Williamsburg. I was in his camp when he made his great farewell oration to his people the evening before his departure for England. The moon was in full splendor, and to her he seemed to address himself in his prayers for his own safety on the voyage, and that of his people during his absence; his sounding voice, distinct articulation, animated action, and the solemn silence of his people at their several fires, filled me with awe and veneration, although I did not understand a word he uttered. That nation, consisting now of about 2,000 warriors, and the Creeks of about 3,000 are far advanced in civilization. They have good cabins, enclosed fields, large herds of cattle and hogs, spin and weave their own clothes of cotton, have smiths and other of the most necessary tradesmen, write and read, are on the increase in numbers, and a branch of Cherokees is now instituting a regular representative government. Some other tribes are advancing in the same line. On those who have made any progress, English seductions will have no effect. But the backward will yield, and be thrown further back. Those will relapse into barbarism and misery, lose numbers by war and want, and we shall be obliged to drive them with the

beasts of the forest into the stony mountains. They will be conquered, however, in Canada. The possession of that country secures our women and children forever from the tomahawk and scalping knife, by removing those who excite them; and for this possession orders, I presume, are issued by this time; taking for granted that the doors of Congress will re-open with a declaration of war. That this may end in indemnity for the past, security for the future, and complete emancipation from Anglomany, Gallomany, and all the manias of demoralized Europe, and that you may live in health and happiness to see all this, is the sincere prayer of yours affectionately.

TO ELBRIDGE GERRY.

J. MSS.

MONTICELLO, June 11, 1812.

DEAR SIR,—It has given me great pleasure to receive a letter from you. It seems as if, our ancient friends dying off, the whole mass of the affections of the heart survives undiminished to the few who remain. I think our acquaintance commenced in 1764, both then just of age. We happened to take lodgings in the same house in New York. Our next meeting was in the Congress of 1775, and at various times afterwards in the exercise of that and other public functions, until your mission to Europe. Since we have ceased to meet, we have still thought and acted together, "*et idem velle, atque idem nolle, ea demum amicitia est.*" Of this harmony of principle, the papers you enclosed me are proof sufficient. I do not condole with you on your release from your government. The vote of your opponents is the most honorable mark by which the soundness of your conduct could be stamped. I claim the same honorable testimonial. There was but a single act of my whole administration of which that party approved. That was the proclamation on the attack of the Chesapeake. And when I found that they approved of it, I confess I began strongly to apprehend I had done wrong, and to exclaim with the Psalmist, "Lord, what have I done that the wicked should praise me!"

What, then, does this English faction with you mean? Their

newspapers say rebellion, and that they will not remain united with us unless we will permit them to govern the majority. If this be their purpose, their anti-republican spirit, it ought to be met at once. But a government like ours should be slow in believing this, should put forth its whole might when necessary to suppress it, and promptly return to the paths of reconciliation. The extent of our country secures it, I hope, from the vindictive passions of the petty incorporations of Greece. I rather suspect that the principal office of the other seventeen States will be to moderate and restrain the local excitement of our friends with you, when they (with the aid of their brethren of the other States, if they need it) shall have brought the rebellious to their feet. They count on British aid. But what can that avail them by land? They would separate from their friends, who alone furnish employment for their navigation, to unite with their only rival for that employment. When interdicted the harbors of their quondam brethren, they will go, I suppose, to ask a share in the carrying trade of their rivals, and a dispensation with their navigation act. They think they will be happier in an association under the rulers of Ireland, the East and West Indies, than in an independent government, where they are obliged to put up with their proportional share only in the direction of its affairs. But I trust that such perverseness will not be that of the honest and well-meaning mass of the federalists of Massachusetts; and that when the questions of separation and rebellion shall be nakedly proposed to them, the Gores and the Pickerings will find their levees crowded with silk stocking gentry, but no yeomanry; an army of officers without soldiers. I hope, then, all will still end well; the Anglomen will consent to make peace with their bread and butter, and you and I shall sink to rest, without having been actors or spectators in another civil war.

How many children have you? You beat me, I expect, in that count, but I you in that of our grand-children. We have not timed these things well together, or we might have begun a re-alliance between Massachusetts and the Old Dominion, faithful companions in the war of Independence, peculiarly tallied in interests, by each wanting exactly what the other has to spare; and estranged to each other in latter times, only by the practices

of a third nation, the common enemy of both. Let us live only to see this re-union, and I will say with old Simeon, "Lord, now lettest thou thy servant depart in peace, for mine eyes have seen thy salvation." In that peace may you long remain, my friend, and depart only in the fulness of years, all passed in health and prosperity. God bless you.

P. S. June 13. I did not condole with you on the reprobation of your opponents, because it proved your orthodoxy. Yesterday's post brought me the resolution of the republicans of Congress, to propose you as Vice President. On this I sincerely congratulate you. It is a stamp of double proof. It is a notification to the factionaries that their nay is the yea of truth, and its best test. We shall be almost within striking distance of each other. Who knows but you may fill up some short recess of Congress with a visit to Monticello, where a numerous family will hail you with a hearty country welcome.

TO GENERAL THADDEUS KOSCIUSKO. J. MSS.

MONTICELLO, June 28, 1812.

Nous voila donc, mon cher ami, en guerre avec l'Angleterre. This was declared on the 18th instant, thirty years after the signature of our peace in 1782. Within these thirty years what a vast course of growth and prosperity we have had! It is not ten years since Great Britain began a series of insults and injuries which would have been met with war in the threshold by any European power. This course has been unremittingly followed up by increasing wrongs, with glimmerings indeed of peaceable redress, just sufficient to keep us quiet, till she has had the impudence at length to extinguish even these glimmerings by open avowal. This would not have been borne so long, but that France has kept pace with England in iniquity of principle, although not in the power of inflicting wrongs on us. The difficulty of selecting a foe between them has spared us many years of war, and enabled us to enter into it with less debt, more strength and preparation. Our present enemy will have the sea to herself, while we shall be

equally predominant at land, and shall strip her of all her possessions on this continent. She may burn New York, indeed, by her ships and congreve rockets, in which case we must burn the city of London by hired incendiaries, of which her starving manufacturers will furnish abundance. A people in such desperation as to demand of their government *aut parcem, aut furcam*, either bread or the gallows, will not reject the same alternative when offered by a foreign hand. Hunger will make them brave every risk for bread. The partisans of England here have endeavored much to goad us into the folly of choosing the ocean instead of the land, for the theatre of war. That would be to meet their strength with our own weakness, instead of their weakness with our strength. I hope we shall confine ourselves to the conquest of their possessions, and defence of our harbors, leaving the war on the ocean to our privateers. These will immediately swarm in every sea, and do more injury to British commerce than the regular fleets of all Europe would do. The government of France may discontinue their license trade. Our privateers will furnish them much more abundantly with colonial produce, and whatever the license trade has given them. Some have apprehended we should be overwhelmed by the new improvements of war, which have not yet reached us. But the British possess them very imperfectly, and what are these improvements? Chiefly in the management of artillery, of which our country admits little use. We have nothing to fear from their armies, and shall put nothing in prize to their fleets. Upon the whole, I have known no war entered into under more favorable auspices.

Our manufacturers are now very nearly on a footing with those of England. She has not a single improvement which we do not possess, and many of them better adapted by ourselves to our ordinary use. We have reduced the large and expensive machinery for most things to the compass of a private family, and every family of any size is now getting machines on a small scale for their household purposes. Quoting myself as an example, and I am much behind many others in this business, my household manufactures are just getting into operation on the scale of a carding machine costing $60 only, which may be worked by a girl of twelve years old, a spinning machine, which may be made

for $10, carrying 6 spindles for wool, to be worked by a girl also, another which can be made for $25, carrying 12 spindles for cotton, and a loom, with a flying shuttle, weaving its twenty yards a day. I need 2,000 yards of linen, cotton and woollen yearly, to clothe my family, which this machinery, costing $150 only, and worked by two women and two girls, will more than furnish. For fine goods there are numerous establishments at work in the large cities, and many more daily growing up; and of merinos we have some thousands, and these multiplying fast. We consider a sheep for every person as sufficient for their woollen clothing, and this State and all to the north have fully that, and those to the south and west will soon be up to it. In other articles we are equally advanced, so that nothing is more certain than that, come peace when it will, we shall never again go to England for a shilling where we have gone for a dollar's worth. Instead of applying to her manufacturers there, they must starve or come here to be employed. I give you these details of peaceable operations, because they are within my present sphere. Those of war are in better hands, who know how to keep their own secrets. Because, too, although a soldier yourself, I am sure you contemplate the peaceable employment of man in the improvement of his condition, with more pleasure than his murders, rapine and devastations.

Mr. Barnes, some time ago, forwarded you a bill of exchange for 5,500 francs, of which the enclosed is a duplicate. Apprehending that a war with England would subject the remittances to you to more casualties, I proposed to Mr. Morson, of Bordeaux, to become the intermediate for making remittances to you, which he readily acceded to on liberal ideas arising from his personal esteem for you, and his desire to be useful to you. If you approve of this medium I am in hopes it will shield you from the effect of the accidents to which the increased dangers of the seas may give birth. It would give me great pleasure to hear from you oftener. I feel great interest in your health and happiness. I know your feelings on the present state of the world, and hope they will be cheered by the successful course of our war, and the addition of Canada to our confederacy. The infamous intrigues of Great Britain to destroy our government (of which Henry's is

but one sample), and with the Indians to tomahawk our women and children, prove that the cession of Canada, their fulcrum for these Machiavelian levers, must be a *sine qua non* at a treaty of peace. God bless you, and give you to see all these things, and many and long years of health and happiness.

TO THE PRESIDENT OF THE UNITED STATES. J. MSS.

MONTICELLO, June 29, 1812.

DEAR SIR,—I duly received your favor of the 22d covering the declaration of war. It is entirely popular here, the only opinion being that it should have been issued the moment the season admitted the militia to enter Canada. * * * To continue the war popular, two things are necessary mainly. 1. To stop Indian barbarities. The conquest of Canada will do this. 2. To furnish markets for our produce, say indeed for our flour, for tobacco is already given up, and seemingly without reluctance. The great profits of the wheat crop have allured every one to it; and never was such a crop on the ground as that which we generally begin to cut this day. It would be mortifying to the farmer to see such an one rot in his barn. It would soon sicken him to war. Nor can this be a matter of wonder or of blame on him. Ours is the only country on earth where war is an instantaneous and total suspension of all the objects of his industry and support. For carrying our produce to foreign markets our own ships, neutral ships, and even enemy ships under neutral flag, which I would wink at, will probably suffice. But the coasting trade is of double importance, because both seller and buyer are disappointed, and both are our own citizens. You will remember that in this trade our greatest distress in the last war was produced by our own pilot boats taken by the British and kept as tenders to their larger vessels. These being the swiftest vessels on the ocean, they took them and selected the swiftest from the whole mass. Filled with men they scoured everything along shore, and completely cut up that coasting business which might otherwise have been carried on within the range of vessels of force and draught. Why should not we then line our coast with vessels

of pilot-boat construction, filled with men, armed with cannonades, and only so much larger as to assure the mastery of the pilot boat? The British cannot counter-work us by building similar ones, because, the fact is, however unaccountable, that our builders alone understand that construction. It is on our own pilot boats the British will depend, which our larger vessels may thus retake. These, however, are the ideas of a landsman only. Mr. Hamilton's judgment will test their soundness.

Our militia are much afraid of being called to Norfolk at this season. They all declare a preference of a march to Canada. I trust however that Governor Barbour will attend to circumstances, and so apportion the service among the counties, that those acclimated by birth or residence may perform the summer tour, and the winter service be allotted to the upper counties.

I trouble you with a letter for General Kosciusko. It covers a bill of exchange from Mr. Barnes for him, and is therefore of great importance to him. Hoping you will have the goodness so far to befriend the General as to give it your safest conveyance, I commit it to you, with the assurance of my sincere affections.

REESE LIBRARY OF THE UNIVERSITY OF CALIFORNIA

TO WILLIAM DUANE. J. MSS.

MONTICELLO, August 4, 1812.

DEAR SIR,—Your favor of the 17th ult. came duly to hand, and I have to thank you for the military manuals you were so kind as to send me. This is the sort of book most needed in our country, where even the elements of tactics are unknown. The young have never seen service, and the old are past it, and of those among them who are not superannuated themselves, their science is become so. I see, as you do, the difficulties and defects we have to encounter in war, and should expect disasters if we had an enemy on land capable of inflicting them. But the weakness of our enemy there will make our first errors innocent, and the seeds of genius which nature sows with even hand through every age and country, and which need only soil and season to germinate, will develop themselves among our military men. Some of

them will become prominent, and seconded by the native energy of our citizens, will soon, I hope, to our force add the benefits of skill. The acquisition of Canada this year, as far as the neighborhood of Quebec, will be a mere matter of marching, and will give us experience for the attack of Halifax the next, and the final expulsion of England from the American continent. Halifax once taken, every cock-boat of hers must return to England for repairs. Their fleet will annihilate our public force on the water, but our privateers will eat out the vitals of their commerce. Perhaps they will burn New York or Boston. If they do, we must burn the city of London, not by expensive fleets or congreve rockets, but by employing an hundred or two Jack-the-painters, whom nakedness, famine, desperation and hardened vice, will abundantly furnish from among themselves. We have a rumor now afloat that the orders of council are repealed. The thing is impossible after Castlereagh's late declaration in Parliament, and the re-construction of a Percival ministry.

I consider this last circumstance fortunate for us. The repeal of the orders of council would only add recruits to our minority, and enable them the more to embarrass our march to thorough redress of our past wrongs, and permanent security for the future. This we shall attain if no internal obstacles are raised up. The exclusion of their commerce from the United States, and the closing of the Baltic against it, which the present campaign in Europe will effect, will accomplish the catastrophe already so far advanced on them. I think your anticipations of the effects of this are entirely probable, their arts, their science, and what they have left of virtue, will come over to us, and although their vices will come also, these, I think, will soon be diluted and evaporated in a country of plain honesty. Experience will soon teach the new-comers how much more plentiful and pleasant is the subsistence gained by wholesome labor and fair dealing, than a precarious and hazardous dependence on the enterprises of vice and violence. Still I agree with you that these immigrations will give strength to English partialities, to eradicate which is one of the most consoling expectations from the war. But probably the old hive will be broken up by a revolution, and a regeneration of its principles render intercourse with it no longer contaminating.

A republic there like ours, and a reduction of their naval power within the limits of their annual facilities of payment, might render their existence even interesting to us. It is the construction of their government, and its principles and means of corruption, which makes its continuance inconsistent with the safety of other nations. A change in its form might make it an honest one, and justify a confidence in its faith and friendship. That regeneration however will take a longer time than I have to live. I shall leave it to be enjoyed among you, and make my exit with a bow to it, as the most flagitious of governments I leave among men. I sincerely wish you may live to see the prodigy of its renovation, enjoying in the meantime health and prosperity.

TO WILLIAM DUANE. J. MSS.

MONTICELLO, October 1, 1812.

DEAR SIR,—Your favor of September the 20th, has been duly received, and I cannot but be gratified by the assurance it expresses, that my aid in the councils of our government would increase the public confidence in them; because it admits an inference that they have approved of the course pursued, when I heretofore bore a part in those councils. I profess, too, so much of the Roman principle, as to deem it honorable for the general of yesterday to act as a corporal to-day, if his services can be useful to his country; holding that to be false pride, which postpones the public good to any private or personal considerations. But I am past service. The hand of age is upon me. The decay of bodily faculties apprizes me that those of the mind cannot be unimpaired, had I not still better proofs. Every year counts by increased debility, and departing faculties keep the score. The last year it was the sight, this it is the hearing, the next something else will be going, until all is gone. Of all this I was sensible before I left Washington, and probably my fellow laborers saw it before I did. The decay of memory was obvious; it is now become distressing. But the mind too, is weakened. When I was young, mathematics was the passion of my life. The same passion has returned upon me, but with unequal

powers. Processes which I then read off with the facility of common discourse, now cost me labor, and time, and slow investigation. When I offered this, therefore, as one of the reasons deciding my retirement from office, it was offered in sincerity and a consciousness of its truth. And I think it a great blessing that I retain understanding enough to be sensible how much of it I have lost, and to avoid exposing myself as a spectacle for the pity of my friends; that I have surmounted the difficult point of knowing when to retire. As a compensation for faculties departed, nature gives me good health, and a perfect resignation to the laws of decay which she has prescribed to all the forms and combinations of matter.

The detestable treason of Hull has, indeed, excited a deep anxiety in all breasts. The depression was in the first moment gloomy and portentous. But it has been succeeded by a revived animation, and a determination to meet the occurrence with increased efforts; and I have so much confidence in the vigorous minds and bodies of our countrymen, as to be fearless as to the final issue. The treachery of Hull, like that of Arnold, cannot be matter of blame on our government. His character, as an officer of skill and bravery, was established on the trials of the last war, and no previous act of his life had led to doubt his fidelity. Whether the Head of the war department is equal to his charge, I am not qualified to decide. I knew him only as a pleasant, gentlemanly man in society; and the indecision of his character rather added to the amenity of his conversation. But when translated from the colloquial circle to the great stage of national concerns, and the direction of the extensive operations of war, whether he has been able to seize at one glance the long line of defenceless border presented by our enemy, the masses of strength which we hold on different points of it, the facility this gave us of attacking him, on the same day, on all his points, from the extremity of the lakes to the neighborhood of Quebec, and the perfect indifference with which this last place, impregnable as it is, might be left in the hands of the enemy to fall of itself; whether, I say, he could see and prepare vigorously for all this, or merely wrapped himself in the cloak of cold defence, I am uninformed. I clearly think with you on the competence of

Monroe to embrace great views of action. The decision of his character, his enterprise, firmness, industry, and unceasing vigilance, would, I believe, secure, as I am sure they would merit, the public confidence, and give us all the success which our means can accomplish. If our operations have suffered or languished from any want of energy in the present head which directs them, I have so much confidence in the wisdom and conscientious integrity of Mr. Madison, as to be satisfied, that however torturing to his feelings, he will fulfil his duty to the public and to his own reputation, by making the necessary change. Perhaps he may be preparing it while we are talking about it; for of all these things I am uninformed. I fear that Hull's surrender has been more than the mere loss of a year to us. Besides bringing on us the whole mass of savage nations, whom fear and not affection has kept in quiet, there is danger that in giving time to an enemy who can send reinforcements of regulars faster than we can raise them, they may strengthen Canada and Halifax beyond the assailment of our lax and divided powers. Perhaps, however, the patriotic efforts from Kentucky and Ohio, by recalling the British force to its upper posts, may yet give time to Dearborne to strike a blow below. Effectual possession of the river from Montreal to the Chaudiere, which is practicable, would give us the upper country at our leisure, and close forever the scenes of the tomahawk and scalping knife.

But these things are for others to plan and achieve. The only succor from the old must lie in their prayers. These I offer up with sincere devotion; and in my concern for the great public, I do not overlook my friends, but supplicate for them, as I do for yourself, a long course of freedom, happiness and prosperity.

TO JAMES MADISON. J. MSS.

MONTICELLO, Nov. 6, '12.

DEAR SIR,—I inclose you a letter from Colo: Gibson Secretary under Governor Harrison. I suppose he has addressed it to me on the footing of a very old acquaintance. He is a very honest man, very old in public service & much esteemed by all who

know him. All this I believe however is known to yourself & possibly he may be personally known to you.

The seeing whether our untried Generals will stand proof is a very dear operation. Two of them have cost us a great many men. We can tell by his plumage whether a cock is dunghill or game. But with us cowardice & courage wear the same plume. Hull will of course be shot for cowardice & treachery. And will not Van Renslaer be broke for cowardice and incapacity? To advance such a body of men across a river without securing boats to bring them off in case of disaster, has cost us 700 men: and to have taken no part himself in such an action & against such a general would be nothing but cowardice. These are the reflections of a solitary reader of his own letter. Dearborne & Harrison have both courage & understanding, & having no longer a Brock to encounter, I hope we shall hear something good from them. If we could but get Canada to Trois rivieres in our hands we should have a set off against spoliations to be treated of, & in the mean time separate the Indians from them and set the friendly to attack the hostile part with our aid. Ever affectionately yours.

TO JAMES RONALDSON. J. MSS.

MONTICELLO, Jan. 12, 1813.

DEAR SIR,—Your favor of November 2d arrived a little before I set out on a journey on which I was absent between five and six weeks. I have still therefore to return you my thanks for the seeds accompanying it, which shall be duly taken care of, and a communication made to others of such as shall prove valuable. I have been long endeavoring to procure the Cork tree from Europe, but without success. A plant which I brought with me from Paris died after languishing some time, and of several parcels of acorns received from a correspondent at Marseilles, not one has ever vegetated. I shall continue my endeavors,

although disheartened by the nonchalance of our southern fellow citizens, with whom alone they can thrive. It is now twenty-five years since I sent them two shipments (about 500 plants) of the Olive tree of Aix, the finest Olives in the world. If any of them still exist, it is merely as a curiosity in their gardens, not a single orchard of them has been planted. I sent them also the celebrated species of Sainfoin,[1] from Malta, which yields good crops without a drop of rain through the season. It was lost. The upland rice which I procured fresh from Africa and sent them, has been preserved and spread in the upper parts of Georgia, and I believe in Kentucky. But we must acknowledge their services in furnishing us an abundance of cotton, a substitute for silk, flax and hemp. The ease with which it is spun will occasion it to supplant the two last, and its cleanliness the first. Household manufacture is taking deep root with us. I have a carding machine, two spinning machines, and looms with the flying shuttle in full operation for clothing my own family; and I verily believe that by the next winter this State will not need a yard of imported coarse or middling clothing. I think we have already a sheep for every inhabitant, which will suffice for clothing, and one-third more, which a single year will add, will furnish blanketing. With respect to marine hospitals, which are one of the subjects of your letter, I presume you know that such establishments have been made by the general government in the several States, that a portion of seaman's wages is drawn for their support, and the government furnishes what is

[1] Called Sulla.

deficient. Mr. Gallatin is attentive to them, and they will grow with our growth. You doubt whether we ought to permit the exportation of grain to our enemies; but Great Britain, with her own agricultural support, and those she can command by her access into every sea, cannot be starved by withholding our supplies. And if she is to be fed at all events, why may we not have the benefit of it as well as others? I would not, indeed, feed her armies landed on our territory, because the difficulty of inland subsistence is what will prevent their ever penetrating far into the country, and will confine them to the sea coast. But this would be my only exception. And as to feeding her armies in the peninsular, she is fighting our battles there, as Bonaparte is on the Baltic. He is shutting out her manufactures from that sea, and so far assisting us in her reduction to extremity. But if she does not keep him out of the peninsular, if he gets full command of that, instead of the greatest and surest of all our markets, as that has uniformly been, we shall be excluded from it, or so much shackled by his tyranny and ignorant caprices, that it will become for us what France now is. Besides, if we could, by starving the English armies, oblige them to withdraw from the peninsular, it would be to send them here; and I think we had better feed them there for pay, than feed and fight them here for nothing. A truth, too, not to be lost sight of is, that no country can pay war taxes if you suppress all their resources. To keep the war popular, we must keep open the markets. As long as good prices can be had, the peo-

ple will support the war cheerfully. If you should have an opportunity of conveying to Mr. Heriot my thanks for his book, you will oblige me by doing it. Accept the assurance of my great esteem and respect.

TO JOHN MELISH. J. MSS.

MONTICELLO, January 13, 1813.

DEAR SIR,—I received duly your favor of December the 15th, and with it the copies of your map and travels, for which be pleased to accept my thanks. The book I have read with extreme satisfaction and information. As to the western States, particularly, it has greatly edified me; for of the actual condition of that interesting portion of our country, I had not an adequate idea. I feel myself now as familiar with it as with the condition of the maritime States. I had no conception that manufactures had made such progress there, and particularly of the number of carding and spinning machines dispersed through the whole country. We are but beginning here to have them in our private families. Small spinning jennies of from half a dozen to twenty spindles, will soon, however, make their way into the humblest cottages, as well as the richest houses; and nothing is more certain, than that the coarse and middling clothing for our families, will forever hereafter continue to be made within ourselves. I have hitherto myself depended entirely on foreign manufactures; but I have now thirty-five spindles agoing, a hand carding machine, and looms with the flying shuttle, for the supply of my own farms, which will never be relinquished in my time. The continuance of the war will fix the habit generally, and out of the evils of impressment and of the orders of council, a great blessing for us will grow. I have not formerly been an advocate for great manufactories. I doubted whether our labor, employed in agriculture, and aided by the spontaneous energies of the earth, would not procure us more than we could make ourselves of other necessaries. But other considerations entering into the question, have settled my doubts.

The candor with which you have viewed the manners and

condition of our citizens, is so unlike the narrow prejudices of the French and English travellers preceding you, who, considering each the manners and habits of their own people as the only orthodox, have viewed everything differing from that test as boorish and barbarous, that your work will be read here extensively, and operate great good.

Amidst this mass of approbation which is given to every other part of the work, there is a single sentiment which I cannot help wishing to bring to what I think the correct one; and, on a point so interesting, I value your opinion too highly not to ambition its concurrence with my own. Stating in volume one, page sixty-three, the principle of difference between the two great political parties here, you conclude it to be, 'whether the controlling power shall be vested in this or that set of men.' That each party endeavors to get into the administration of the government, and exclude the other from power, is true, and may be stated as a motive of action: but this is only secondary; the primary motive being a real and radical difference of political principle. I sincerely wish our differences were but personally who should govern, and that the principles of our constitution were those of both parties. Unfortunately, it is otherwise; and the question of preference between monarchy and republicanism, which has so long divided mankind elsewhere, threatens a permanent division here.

Among that section of our citizens called federalists, there are three shades of opinion. Distinguishing between the *leaders* and *people* who compose it, the *leaders* consider the English constitution as a model of perfection, some, with a correction of its vices, others, with all its corruptions and abuses. This last was Alexander Hamilton's opinion, which others, as well as myself, have often heard him declare, and that a correction of what are called its vices, would render the English an impracticable government. This government they wished to have established here, and only accepted and held fast, *at first*, to the present constitution, as a stepping-stone to the final establishment of their favorite model. This party has therefore always clung to England as their prototype, and great auxiliary in promoting and effecting this change. A weighty MINORITY, however, of these *leaders*, considering the voluntary conversion of our government into a monarchy as too

distant, if not desperate, wish to break off from our Union its eastern fragment, as being, in truth, the hot-bed of American monarchism, with a view to a commencement of their favorite government, from whence the other States may gangrene by degrees, and the whole be thus brought finally to the desired point. For Massachusetts, the prime mover in this enterprise, is the last State in the Union to mean a *final* separation, as being of all the most dependent on the others. Not raising bread for the sustenance of her own inhabitants, not having a stick of timber for the construction of vessels, her principal occupation, nor an article to export in them, where would she be, excluded from the ports of the other States, and thrown into dependence on England, her direct and natural, but now insidious rival? At the head of this MINORITY is what is called the Essex Junto of Massachusetts. But the MAJORITY of these *leaders* do not aim at separation. In this, they adhere to the known principle of General Hamilton, never, under any views, to break the Union. Anglomany, monarchy, and separation, then, are the principles of the Essex federalists. Anglomany and monarchy, those of the Hamiltonians, and Anglomany alone, that of the portion among the *people* who call themselves federalists. These last are as good republicans as the brethren whom they oppose, and differ from them only in their devotion to England and hatred of France which they have imbibed from their leaders. The moment that these leaders should avowedly propose a separation of the Union, or the establishment of regal government, their popular adherents would quit them to a man, and join the republican standard; and the partisans of this change, even in Massachusetts, would thus find themselves an army of officers without a soldier.

The party called republican is steadily for the support of the present constitution. They obtained at its commencement, all the amendments to it they desired. These reconciled them to it perfectly, and if they have any ulterior view, it is only, perhaps, to popularize it further, by shortening the Senatorial term, and devising a process for the responsibility of judges, more practical than that of impeachment. They esteem the people of England and France equally, and equally detest the governing powers of both.

This I verily believe, after an intimacy of forty years with the public councils and characters, is a true statement of the grounds on which they are at present divided, and that it is not merely an ambition for power. An honest man can feel no pleasure in the exercise of power over his fellow citizens. And considering as the only offices of power those conferred by the people directly, that is to say, the executive and legislative functions of the General and State governments, the common refusal of these and multiplied resignations, are proofs sufficient that power is not alluring to pure minds. and is not, with them, the primary principle of contest. This is my belief of it; it is that on which I have acted; and had it been a mere contest who should be permitted to administer the government according to its genuine republican principles, there has never been a moment of my life in which I should have relinquished for it the enjoyments of my family, my farm, my friends and books.

You expected to discover the difference of our party principles in General Washington's valedictory, and my inaugural address. Not at all. General Washington did not harbor one principle of federalism. He was neither an Angloman, a monarchist, nor a separatist. He sincerely wished the people to have as much self-government as they were competent to exercise themselves. The only point on which he and I ever differed in opinion, was, that I had more confidence than he had in the natural integrity and discretion of the people, and in the safety and extent to which they might trust themselves with a control over their government. He has asseverated to me a thousand times his determination that the existing government should have a fair trial, and that in support of it he would spend the last drop of his blood. He did this the more repeatedly, because he knew General Hamilton's political bias, and my apprehensions from it. It is a mere calumny, therefore, in the monarchists, to associate General Washington with their principles. But that may have happened in this case which has been often seen in ordinary cases, that, by oft repeating an untruth, men come to believe it themselves. It is a mere artifice in this party to bolster themselves up on the revered name of that first of our worthies. If I have dwelt longer on this subject than was necessary, it proves the estimation

in which I hold your ultimate opinions, and my desire of placing the subject truly before them. In so doing, I am certain I risk no use of the communication which may draw me into contention before the public. Tranquillity is the *summum bonum* of a Septagenaire.

To return to the merits of your work: I consider it as so lively a picture of the real state of our country, that if I can possibly obtain opportunities of conveyance, I propose to send a copy to a friend in France, and another to one in Italy, who, I know, will translate and circulate it as an antidote to the misrepresentations of former travellers. But whatever effect my profession of political faith may have on your general opinion, a part of my object will be obtained, if it satisfies you as to the principles of my own action, and of the high respect and consideration with which I tender you my salutations.

TO WILLIAM P. GARDNER. J. MSS.

MONTICELLO, Feb. 19, 13.

SIR,—Your favor of the 13th has been duly received, together with the papers it covered, and particularly Mr. Barralet's sketch of the ornaments proposed to accompany the publication of the Declaration of Independance contemplated by Mr. Murray and yourself. I am too little versed in the art of Design to be able to offer any suggestions to the artist. As far as I am a judge, the composition appears to be judicious and well imagined. Were I to hazard a suggestion it should be that Mr. Hancock, as President of Congress should occupy the middle and principal place. No man better merited, than Mr. John Adams to hold a most conspicuous place in the design. He was the pillar of it's support on the floor of Congress, it 's ablest advocate and

defender against the multifarious assaults it encountered. For many excellent persons opposed it on doubts whether we were provided sufficiently with the means of supporting it, whether the minds of our constituents were yet prepared to receive it &c. who, after it was decided, united zealously in the measures it called for.

I must ask permission to become a subscriber for a copy when published, which if rolled on a wooden roller & sent by mail, will come safely. Accept the assurances of my respect & best wishes.

TO JAMES MADISON. J. MSS.

MONTICELLO, Feb. 21, 13.

DEAR SIR,—On the occasion of your separation from Mr. Robert Smith, I recollect your mentioning in one of your letters to me that among the circumstances which afflicted you, was the impression it might make on his connections in this quarter, for whom you entertained so much friendship & esteem. It was soon discernible that on one of them whom I had the most frequent opportunities of seeing, no other impression was made than that which every man of understanding felt: of which I think I informed you at the time: and there has never been one moment of remission on his part in his zealous attachment to yourself, and your administration. Of Mr. Nicholas's feelings I have not had as good occasions of judging for myself. I see him seldom, at his own house only, and in the midst of his family, before whom, of course, neither he nor I should think of introducing the subject. Indulgence to the feelings of their families would necessarily, in their presence, impose reserve on both of these gentlemen. I have lately however thro' a channel which can leave no doubt on the subject, ascertained that on Mr. Nicholas also no impression unfavorable to you was made by that transaction, and that his friendship for you has never felt a moment's abatement. Indeed

we might have been sure of this from his integrity, his good sense and his sound judgment of men and things. Very serious and urgent letters too written by him to both General Smith and Giles on the course pursued by them are proofs of the undeviating character of his own. Knowing your value of him, and that which we both set on the attachment to republican government of a family so estimable, so able, and so strong in its connections, I have believed it would be pleasing to you to be assured of these facts. I am led to the communication too, by another motive, the opportunity which I think I see of cementing these dispositions by a measure which will at the same time be useful to the public. He has a son, Robert Carter Nicholas, whom I cannot praise more than by saying he is exactly the father over again. The same strong observation, sound judgment, prudence and honesty of purpose impressed by more education and reading. He has been brought up to the bar; but on the insults to his country, he felt the animation they were calculated to inspire more especially in young & ardent minds, and he obtained a captaincy in one of the regiments lately authorized. There can be few such men in our army, and it is highly interesting to us all, that these few should be approached, on all fair occasions, as much as possible towards the higher grades of the army. He is one of those who, in relation, as well as in action, will gratify our national feelings. There being more regiments now to be raised I have supposed he might be advanced a grade, say to a majority, in one of these. I wish his age and experience had been such as to justify more. Such a measure, while promoting the good of the service, would have a cordial effect on the mind of the father; and the more so in proportion as it is unsollicited and unexpected. It would remove all scruples & anxieties on both sides, by manifesting to him the state of your mind, & strengthening your conviction of his dispositions towards you. I will take the liberty of suggesting this transfer to Genl. Armstrong also, whose particular acquaintance will raise more favorable presumptions as to the son, and facilitate the measure should it meet with your own approbation.

Another General it seems has given proof of his military qualifications by the loss of another thousand of men; for there cannot be a surprise but thro' the fault of the Commanders, and

especially by an enemy who has given us heretofore so many of these lessons. Perhaps we ought to expect such trials after deperdition of all military science consequent on so long a peace: and I am happy to observe the public mind not discouraged, and that it does not associate it's government with these unfortunate agents. These experiments will at least have the good effect of bringing forward those whom nature has qualified for military trust; and whenever we have good commanders, we shall have good souldiers, and good successes. God bless you, and give you that success which wisdom & integrity ought to ensure to you.

TO JOHN ARMSTRONG. J.MSS.

MONTICELLO, Feb. 21, 13.

DEAR GENERAL,—Another General, it seems, has lost us another thousand men by suffering them to be surprised; and this too by an enemy who by so many similar lessons had taught us that surprise is his habitual resource. Our only hope is that these misfortunes will at length elicit by trial the characters qualified by nature from those unqualified, to be entrusted with the destinies of their fellow citizens. The unfortunate obstinacy of the Senate in preferring the greatest blockhead, to the greatest military genius, if one day longer in commission, renders it doubly important to sift well the candidates for command in new corps, & to marshal them at first, towards the head, in proportion to their qualifications. These reflections have induced me to bring to your notice a young gentleman of my neighborhood, now a captain in one of the regiments lately established in his own region. I know, you will not be permitted to advance him, altho there is not, I believe a service on earth where seniority is permitted to give a right to advance beyond the grade of captain. We are doomed however to sacrifice the lives of our citizens by thousands to this blind principle, for fear the peculiar interest & responsibility of our Executive should not be sufficient to guard his selection of officers against favoritism. Be it so: we must submit. But when you have new corps to raise you are free to prefer merit; and our mechanical law of promotion, when once men have been set in their

places, makes it most interesting indeed to place them originally according to their capacities. It is not for me even to ask whether in the raw regiments now to be raised, it would not be advisable to draw from the former the few officers who may already have discovered military talent, and to bring them forward in the new corps to those higher grades, to which, in the old, the blocks in their way do not permit you to advance them? Whether the short trial you have had of them does not furnish better ground of selection than the common-place recommendations of new men? I confine myself therefore to the individual before alluded to. You intimately knew his father, Wilson C. Nicholas, your colleague in Senate, and our faithful fellow-laborer in the days of trial. You knew his good sense, his sound judgment, his rectitude, and his zeal for republican government. The son, Robert Carter Nicholas, the captain whom I before mentioned, is not behind the father in these good qualifications, with the advantage of a higher degree of education. When improved by experience he will be one of those who will faithfully and understandingly render account of the talent which shall be delivered to him. Would it not therefore be advisable to advance such a subject, while it is in your power, a grade in one of the new regiments? I suggest this from no motive of personal favor to him. He does not even know the judgment I have formed of him; & still less that I have thought of placing him under your view. I am urged to it by the desire of contributing what I can to your information, & to guide your selection of military agents. If I knew others personally, of like merit, I should draw your notice to them also, because, without information, talent & fatuity must stand alike before you under the mark of the same uniform. I write on this subject to the President also; and resign myself with contentedness to the perfect conviction that whatever you do will be right, and in the same spirit I assure you of my constant friendship & respect.

TO JAMES MADISON. J. MSS.

MONTICELLO, May 21, 1813.

DEAR SIR,—The enclosed letter from Whit was unquestionably intended for you. The subject, the address, both of title and

place, prove it, and the mistake of the name only shows the writer to be a very uninquisitive statesman. Dr. Waterhouse's letter, too, was intended for your eye, and although the immediate object fails by previous appointment, yet he seems to entertain further wishes. I enclose, too, the newspapers he refers to, as some of their matter may have escaped your notice, and the traitorous designs fostered in Massachusetts, and explained in them, call for attention.

We have never seen so unpromising a crop of wheat as that now growing. The winter killed an unusual proportion of it, and the fly is destroying the remainder. We may estimate the latter loss at one-third at present, and fast increasing from the effect of the extraordinary drought. With such a prospect before us, the blockade is acting severely on our past labors. It caught nearly the whole wheat of the middle and upper country in the hands of the farmers and millers, whose interior situation had prevented their getting it to an earlier market. From this neighborhood very little had been sold. When we cast our eyes on the map, and see the extent of country from New York to North Carolina inclusive, whose product is raised on the waters of the Chesapeake, (for Albemarle sound is, by the canal of Norfolk, become a water of the Chesapeake,) and consider its productiveness, in comparison with the rest of the Atlantic States, probably a full half, and that all this can be shut up by two or three ships of the line lying at the mouth of the bay, we see that an injury so vast to ourselves and so cheap to our enemy, must forever be resorted to by them, and constantly maintained. To defend all the shores of those waters in detail is impossible. But is there not a single point where they may be all defended by means to which the magnitude of the object gives a title? I mean at the mouth of the Chesapeake. Not by ships of the line, or frigates; for I know that with our present enemy we cannot contend in that way. But would not a sufficient number of gun-boats of *small* draught, stationed in Lynhaven river, render it unsafe for ships of war either to ascend the Chesapeake or to lie at its mouth? I am not unaware of the effect of the ridicule cast on this instrument of defence by those who wished for engines of offence. But resort is had to ridicule only when reason is against us. I know,

too, the prejudices of the gentlemen of the navy, and that these are very natural. No one has been more gratified than myself by the brilliant achievements of our little navy. They have deeply wounded the pride of our enemy, and been balm to ours, humiliated on the land where our real strength was felt to lie. But divesting ourselves of the enthusiasm these brave actions have justly excited, it is impossible not to see that all these vessels must be taken and added to the already overwhelming force of our enemy; that even while we keep them, they contribute nothing to our defence, and that so far as we are to be defended by anything on the water, it must be by such vessels as can assail under advantageous circumstances, and under adverse ones withdraw from the reach of the enemy. This, in shoally waters, is the humble, the ridiculed, but the formidable gun-boats. I acknowledge that in the case which produces these reflections, the station of Lynhaven river would not be safe against land attacks on the boats, and that a retreat for them is necessary in this event. With a view to this there was a survey made by Colonel Tatham, which was lodged either in the war or navy office, showing the depth and length of a canal which would give them a retreat from Lynhaven river into the eastern branch of Elizabeth river. I think the distance is not over six or eight miles, perhaps not so much, through a country entirely flat, and little above the level of the sea. A cut of ten yards wide and four yards deep, requiring the removal of forty cubic yards of earth for every yard in length of the canal, at twenty cents the cubic yard, would cost about $15,000 a mile. But even doubling this to cover all errors of estimate, although in a country offering the cheapest kind of labor, it would be nothing compared with the extent and productions of the country it is to protect. It would, for so great a country, bear no proportion to what has been expended, and justly expended by the Union, to defend the single spot of New York.

While such a channel of retreat secures effectually the safety of the gun-boats, it insures also their aid for the defence of Norfolk, if attacked from the sea. And the Norfolk canal gives them a further passage into Albemarle sound, if necessary for their safety, or in aid of the flotilla of that sound, or to receive the aid of that flotilla either at Norfolk or in Lynhaven river. For such

a flotilla there also will doubtless be thought necessary, that being the only outlet now, as during the last war, for the waters of the Chesapeake. Colonel Monroe, I think, is personally intimate with the face of all that country, and no one, I am certain, is more able or more disposed than the present Secretary of the Navy, to place himself above the navy prejudices, and do justice to the aptitude of these humble and economical vessels to the shallow waters of the South. On the bold Northern shores they would be of less account, and the larger vessels will of course be more employed there. Were they stationed with us, they would rather attract danger than ward it off. The only service they can render us would be to come *in a body* when the occasion offers, of overwhelming a weaker force of the enemy occupying our bay, to oblige them to keep their force in a body, leaving the mass of our coast open.

Although it is probable there may not be an idea here which has not been maturely weighed by yourself, and with a much broader view of the whole field, yet I have frankly hazarded them, because possibly some of the facts or ideas may have escaped in the multiplicity of the objects engaging your notice, and because in every event they will cost you but the trouble of reading. The importance of keeping open a water which covers wholly or considerably five of the most productive States, containing three-fifths of the population of the Atlantic portion of our Union, and of preserving their resources for the support of the war, as far as the state of war and the means of the confederacy will admit; and especially if it can be done for less than is contributed by the Union for more than one single city, will justify our anxieties to have it effected. And should my views of the subject be even wrong, I am sure they will find their apology with you in the purity of the motives of personal and public regard which induce a suggestion of them. In all cases I am satisfied you are doing what is for the best, as far as the means put into your hands will enable you, and this thought quiets me under every occurrence, and under every occurrence I am sincerely, affectionately and respectfully yours.

TO RICHARD RUSH. J. MSS.

MONTICELLO, May 31, 13.

DEAR SIR,—No one has taken a more sincere part than myself in the affliction which has lately befallen your family, by the loss of your inestimable and ever to be lamented father. His virtues rendered him dear to all who knew him, and his benevolence led him to do all men every good in his power. Much he was able to do, and much therefore will be missed. My acquaintance with him began in 1776. It soon became intimate, and from that time a warm friendship has been maintained by a correspondence of unreserved confidence. In the course of this, each has deposited in the bosom of the other, communications which were never intended to go further. In the sacred fidelity of each to the other these were known to be safe: and above all things that they would be kept from the public eye. There may have been other letters of this character written by me to him: but two alone occur to me at present, about which I have any anxiety. These were of Apr. 21. 1803. & Jan. 16. 1811. The first of these was on the subject of religion, a subject on which I have ever been most scrupulously reserved. I have considered it as a matter between every man and his maker, in which no other, & far less the public had a right to intermeddle. To your father alone I committed some views on this subject in the first of the letters above mentioned, led to it by previous conversations, and a promise on my part to digest & communicate them in writing. The letter of Jan. 16. 1811 respected a mutual friend, between whom & myself a suspension of correspondence had taken place. This was restored by his kind intervention, the correspondence resumed, and a friendship revived, which had been much valued on both sides. Another letter of Dec. 5. 11. explains this occurrence. I very much wish that these letters should remain unseen and unknown. And, if it would be too much to ask their return, I would earnestly entreat of you so to dispose of them as that they might never be seen, if possible, but by yourself, with whom I know their contents would be safe. I have too many enemies disposed to make a lacerating use of them, not to feel anxieties inspired by a love of tranquility, now become the summum bonum of life. In your occasional

visits to Philadelphia, perhaps you can lay your hand on them, which might be preferable to the drawing a marked attention to them by letter. I submit all this to your honorable & candid mind, and praying you to tender to your much esteemed mother my sincere condolances & respects, accept for yourself the assurance of my great esteem & consideration.

TO JOHN ADAMS. J. MSS.

MONTICELLO, June 15, 1813.

DEAR SIR,—I wrote you a letter on the 27th of May, which probably would reach you about the 3d instant, and on the 9th I received yours of the 29th of May. Of Lindsay's Memoirs I had never before heard, and scarcely indeed of himself. It could not, therefore, but be unexpected, that two letters of mine should have anything to do with his life. The name of his editor was new to me, and certainly presents itself for the first time under unfavorable circumstances. Religion, I suppose, is the scope of his book; and that a writer on that subject should usher himself to the world in the very act of the grossest abuse of confidence, by publishing private letters which passed between two friends, with no views to their ever being made public, is an instance of inconsistency as well as of infidelity, of which I would rather be the victim than the author.

By your kind quotation of the dates of my two letters, I have been enabled to turn to them. They had completely vanished from my memory. The last is on the subject of religion, and by its publication will gratify the priesthood with new occasion of repeating their comminations against me. They wish it to be believed that he can have no religion who advocates its freedom. This was not the doctrine of Priestley; and I honored him for the example of liberality he set to his order. The first letter is political. It recalls to our recollection the gloomy transactions of the times, the doctrines they witnessed, and the sensibilities they excited. It was a confidential communication of reflections on these from one friend to another, deposited in his bosom, and never meant to trouble the public mind. Whether the character of the times is justly portrayed or not, posterity will decide.

But on one feature of them they can never decide, the sensations excited in free yet firm minds by the terrorism of the day. None can conceive who did not witness them, and they were felt by one party only. This letter exhibits their side of the medal. The federalists, no doubt, have presented the other in their private correspondences as well as open action. If these correspondences should ever be laid open to the public eye, they will probably be found not models of comity towards their adversaries. The readers of my letter should be cautioned not to confine its view to this country alone. England and its alarmists were equally under consideration. Still less must they consider it as looking personally towards you. You happen, indeed, to be quoted, because you happened to express more pithily than had been done by themselves, one of the mottos of the party. This was in your answer to the address of the young men of Philadelphia. [See Selection of Patriotic Addresses, page 198.] One of the questions, you know, on which our parties took different sides, was on the improvability of the human mind in science, in ethics, in government, &c. Those who advocated reformation of institutions, *pari passu* with the progress of science, maintained that no definite limits could be assigned to that progress. The enemies of reform, on the other hand, denied improvement, and advocated steady adherence to the principles, practices and institutions of our fathers, which they represented as the consummation of wisdom, and acme of excellence, beyond which the human mind could never advance. Although in the passage of your answer alluded to, you expressly disclaim the wish to influence the freedom of inquiry, you predict that that will produce nothing more worthy of transmission to posterity than the principles, institutions and systems of education received from their ancestors. I do not consider this as your deliberate opinion. You possess, yourself, too much science, not to see how much is still ahead of you, unexplained and unexplored. Your own consciousness must place you as far before our ancestors as in the rear of our posterity. I consider it as an expression lent to the prejudices of your friends; and although I happened to cite it from you, the whole letter shows I had them only in view. In truth, my dear Sir, we were far from considering you as the au-

thor of all the measures we blamed. They were placed under the protection of your name, but we were satisfied they wanted much of your approbation. We ascribed them to their real authors, the Pickerings, the Wolcotts, the Tracys, the Sedgwicks, *et id genus omne*, with whom we supposed you in a state of duresse. I well remember a conversation with you in the morning of the day on which you nominated to the Senate a substitute for Pickering, in which you expressed a just impatience under "the legacy of secretaries which General Washington had left you," and whom you seemed, therefore, to consider as under public protection. Many other incidents showed how differently you would have acted with less impassioned advisers; and subsequent events have proved that your minds were not together. You would do me great injustice, therefore, by taking to yourself what was intended for men who were then your secret, as they are now your open enemies. Should you write on the subject, as you propose, I am sure we shall see you place yourself farther from them than from us.

As to myself, I shall take no part in any discussions. I leave others to judge of what I have done, and to give me exactly that place which they shall think I have occupied. Marshall has written libels on one side; others, I suppose, will be written on the other side; and the world will sift both and separate the truth as well as they can. I should see with reluctance the passions of that day rekindled in this, while so many of the actors are living, and all are too near the scene not to participate in sympathies with them. About facts you and I cannot differ; because truth is our mutual guide. And if any opinions you may express should be different from mine, I shall receive them with the liberality and indulgence which I ask for my own, and still cherish with warmth the sentiments of affectionate respect, of which I can with so much truth tender you the assurance.

TO JOHN WAYLES EPPES. J. MSS.

MONTICELLO, June 24, 1813.

DEAR SIR,—This letter will be on politics only. For although I do not often permit myself to think on that subject, it some-

times obtrudes itself, and suggests ideas which I am tempted to pursue. Some of these relating to the business of finance, I will hazard to you, as being at the head of that committee, but intended for yourself individually, or such as you trust, but certainly not for a mixed committee.

It is a wise rule and should be fundamental in a government disposed to cherish its credit, and at the same time to restrain the use of it within the limits of its faculties, "never to borrow a dollar without laying a tax in the same instant for paying the interest annually, and the principal within a given term; and to consider that tax as pledged to the creditors on the public faith." On such a pledge as this, sacredly observed, a government may always command, on a *reasonable interest*, all the lendable money of their citizens, while the necessity of an equivalent tax is a salutary warning to them and their constituents against oppressions, bankruptcy, and its inevitable consequence, revolution. But the term of redemption must be moderate, and at any rate within the limits of their rightful powers. But what limits, it will be asked, does this prescribe to their powers? What is to hinder them from creating a perpetual debt? The laws of nature, I answer. The earth belongs to the living, not to the dead. The will and the power of man expire with his life, by nature's law. Some societies give it an artificial continuance, for the encouragement of industry; some refuse it, as our aboriginal neighbors, whom we call barbarians. The generations of men may be considered as bodies or corporations. Each generation has the usufruct of the earth during the period of its continuance. When it ceases to exist, the usufruct passes on to the succeeding generation, free and unincumbered, and so on, successively, from one generation to another forever. We may consider each generation as a distinct nation, with a right, by the will of its majority, to bind themselves, but none to bind the succeeding generation, more than the inhabitants of another country. Or the case may be likened to the ordinary one of a tenant for life, who may hypothecate the land for his debts, during the continuance of his usufruct; but at his death, the reversioner (who is also for life only) receives it exonerated from all burthen. The period of a generation, or the term of its life, is determined by the laws of

mortality, which, varying a little only in different climates, offer a general average, to be found by observation. I turn, for instance, to Buffon's tables, of twenty-three thousand nine hundred and ninety-four deaths, and the ages at which they happened, and I find that of the numbers of all ages living at one moment, half will be dead in twenty-four years and eight months. But (leaving out minors, who have not the power of self-government) of the adults (of twenty-one years of age) living at one moment, a majority of whom act for the society, one half will be dead in eighteen years and eight months. At nineteen years then from the date of a contract, the majority of the contractors are dead, and their contract with them. Let this general theory be applied to a particular case. Suppose the annual births of the State of New York to be twenty-three thousand nine hundred and ninety-four, the whole number of its inhabitants, according to Buffon, will be six hundred and seventeen thousand seven hundred and three, of all ages. Of these there would constantly be two hundred and sixty-nine thousand two hundred and eighty-six minors, and three hundred and forty-eight thousand four hundred and seventeen adults, of which last, one hundred and seventy-four thousand two hundred and nine will be a majority. Suppose that majority, on the first day of the year 1794, had borrowed a sum of money equal to the fee-simple value of the State, and to have consumed it in eating, drinking and making merry in their day; or, if you please, in quarrelling and fighting with their unoffending neighbors. Within eighteen years and eight months, one half of the adult citizens were dead. Till then, being the majority, they might rightfully levy the interest of their debt annually on themselves and their fellow-revellers, or fellow-champions. But at that period, say at this moment, a new majority have come into place, in their own right, and not under the rights, the conditions, or laws of their predecessors. Are they bound to acknowledge the debt, to consider the preceding generation as having had a right to eat up the whole soil of their country, in the course of a life, to alienate it from them, (for it would be an alienation to the creditors,) and would they think themselves either legally or morally bound to give up their country and emigrate to another for subsistence? Every one will say no; that

the soil is the gift of God to the living, as much as it had been to the deceased generation; and that the laws of nature impose no obligation on them to pay this debt. And although, like some other natural rights, this has not yet entered into any declaration of rights, it is no less a law, and ought to be acted on by honest governments. It is, at the same time, a salutary curb on the spirit of war and indebtment, which, since the modern theory of the perpetuation of debt, has drenched the earth with blood, and crushed its inhabitants under burthens ever accumulating. Had this principle been declared in the British bill of rights, England would have been placed under the happy disability of waging eternal war, and of contracting her thousand millions of public debt. In seeking, then, for an ultimate term for the redemption of our debts, let us rally to this principle, and provide for their payment within the term of nineteen years at the farthest. Our government has not, as yet, begun to act on the rule of loans and taxation going hand in hand. Had any loan taken place in my time, I should have strongly urged a redeeming tax. For the loan which has been made since the last session of Congress, we should now set the example of appropriating some particular tax, sufficient to pay the interest annually, and the principal within a fixed term, less than nineteen years. And I hope yourself and your committee will render the immortal service of introducing this practice. Not that it is expected that Congress should formally declare such a principle. They wisely enough avoid deciding on abstract questions. But they may be induced to keep themselves within its limits.

I am sorry to see our loans begin at so exorbitant an interest. And yet, even at that you will soon be at the bottom of the loan-bag. We are an agricultural nation. Such an one employs its sparings in the purchase or improvement of land or stocks. The lendable money among them is chiefly that of orphans and wards in the hands of executors and guardians, and that which the farmer lays by till he has enough for the purchase in view. In such a nation there is one and one only resource for loans, sufficient to carry them through the expense of a war; and that will always be sufficient, and in the power of an honest government, punctual in the preservation of its faith. The fund I mean, is

the mass of circulating coin. Every one knows, that although not literally, it is nearly true, that every paper dollar emitted banishes a silver one from the circulation. A nation, therefore, making its purchases and payments with bills fitted for circulation, thrusts an equal sum of coin out of circulation. This is equivalent to borrowing that sum, and yet the vendor receiving payment in a medium as effectual as coin for his purchases or payments, has no claim to interest. And so the nation may continue to issue its bills as far as its wants require, and the limits of the circulation will admit. Those limits are understood to extend with us at present, to two hundred millions of dollars, a greater sum than would be necessary for any war. But this, the only resource which the government could command with certainty, the States have unfortunately fooled away, nay corruptly alienated to swindlers and shavers, under the cover of private banks. Say, too, as an additional evil, that the disposal funds of individuals, to this great amount, have thus been withdrawn from improvement and useful enterprise, and employed in the useless, usurious and demoralizing practices of bank directors and their accomplices. In the war of 1755, our State availed itself of this fund by issuing a paper money, bottomed on a specific tax for its redemption, and, to insure its credit, bearing an interest of five per cent. Within a very short time, not a bill of this emission was to be found in circulation. It was locked up in the chests of executors, guardians, widows, farmers, &c. We then issued bills bottomed on a redeeming tax, but bearing no interest. These were readily received, and never depreciated a single farthing. In the revolutionary war, the old Congress and the States issued bills without interest, and without tax. They occupied the channels of circulation very freely, till those channels were overflowed by an excess beyond all the calls of circulation. But although we have so improvidently suffered the field of circulating medium to be filched from us by private individuals, yet I think we may recover it in part, and even in the whole, if the States will co-operate with us. If treasury bills are emitted on a tax appropriated for their redemption in fifteen years, and (to insure preference in the first moments of competition) bearing an interest of six per cent. there is no one who

would not take them in preference to the bank paper now afloat, on a principle of patriotism as well as interest; and they would be withdrawn from circulation into private hoards to a considerable amount. Their credit once established, others might be emitted, bottomed also on a tax, but not bearing interest; and if ever their credit faltered, open public loans, on which these bills alone should be received as specie. These, operating as a sinking fund, would reduce the quantity in circulation, so as to maintain that in an equilibrium with specie. It is not easy to estimate the obstacles which, in the beginning, we should encounter in ousting the banks from their possession of the circulation; but a steady and judicious alternation of emissions and loans, would reduce them in time. But while this is going on, another measure should be pressed, to recover ultimately our right to the circulation. The States should be applied to, to transfer the right of issuing circulating paper to Congress exclusively, *in perpetuum*, if possible, but during the war at least, with a saving of charter rights. I believe that every State west and South of Connecticut river, except Delaware, would immediately do it; and the others would follow in time. Congress would, of course, begin by obliging unchartered banks to wind up their affairs within a short time, and the others as their charters expired, forbidding the subsequent circulation of their paper. This they would supply with their own, bottomed, every emission, on an adequate tax, and bearing or not bearing interest, as the state of the public pulse should indicate. Even in the non-complying States, these bills would make their way, and supplant the unfunded paper of their banks, by their solidity, by the universality of their currency, and by their receivability for customs and taxes. It would be in their power, too, to curtail those banks to the amount of their actual specie, by gathering up their paper, and running it constantly on them. The national paper might thus take place even in the non-complying States. In this way, I am not without a hope, that this great, this sole resource for loans in an agricultural country, might yet be recovered for the use of the nation during war; and, if obtained *in perpetuum*, it would always be sufficient to carry us through any war; provided, that in the interval between war and war, all the outstanding

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paper should be called in, coin be permitted to flow in again, and to hold the field of circulation until another war should require its yielding place again to the national medium.

But it will be asked, are we to have no banks? Are merchants and others to be deprived of the resource of short accommodations, found so convenient? I answer, let us have banks; but let them be such as are alone to be found in any country on earth, except Great Britain. There is not a bank of discount on the continent of Europe, (at least there was not one when I was there,) which offers anything but cash in exchange for discounted bills. No one has a natural right to the trade of a money lender, but he who has the money to lend. Let those then among us, who have a monied capital, and who prefer employing it in loans rather than otherwise, set up banks, and give cash or national bills for the notes they discount. Perhaps, to encourage them, a larger interest than is legal in the other cases might be allowed them, on the condition of their lending for short periods only. It is from Great Britain we copy the idea of giving paper in exchange for discounted bills; and while we have derived from that country some good principles of government and legislation, we unfortunately run into the most servile imitation of all her practices, ruinous as they prove to her, and with the gulph yawning before us into which these very practices are precipitating her. The unlimited emission of bank paper has banished all her specie, and is now, by a depreciation acknowledged by her own statesmen, carrying her rapidly to bankruptcy, as it did France, as it did us, and will do us again, and every country permitting paper to be circulated, other than that by public authority, rigorously limited to the just measure for circulation. Private fortunes, in the present state of our circulation, are at the mercy of those self-created money lenders, and are prostrated by the floods of nominal money with which their avarice deluges us. He who lent his money to the public or to an individual, before the institution of the United States Bank, twenty years ago, when wheat was well sold at a dollar the bushel, and receives now his nominal sum when it sells at two dollars, is cheated of half his fortune; and by whom? By the banks, which, since that, have thrown into circulation ten dollars of their nominal money where was one at that time.

Reflect, if you please, on these ideas, and use them or not as they appear to merit. They comfort me in the belief, that they point out a resource ample enough, without overwhelming war taxes, for the expense of the war, and possibly still recoverable; and that they hold up to all future time a resource within ourselves, ever at the command of government, and competent to any wars into which we may be forced. Nor is it a slight object to equalize taxes through peace and war.[1] * * * Ever affectionately yours.

[1] The two following letters of Jefferson to Eppes continue the subject of this.

POPLAR FOR. Sep. 11. 1813.

DEAR SIR,—I turn with great reluctance from the functions of a private citizen to matters of state. The swaggering on deck as a passenger, is so much more pleasant than clambering the ropes as a seaman, & my confidence in the skill & activity of those employed to work the vessel is so entire that I notice nothing en passant but how smoothly she moves. Yet I avail myself of the leisure which a visit to this place procures me, to revolve again in my mind the subject of my former letter; & in compliance with the request of yours of to add some further thoughts on it. Though intended as supplemental to that, I may fall into repetitions, not having that with me, nor paper or book of any sort to supply the defect of a memory on the wane.

The objects of finance in the US. have hitherto been very simple; merely to provide for the support of the govmt on it's peace establishment, & to pay the debt contracted in the revolutionary war, a war which will be sanctioned by the approbation of posterity through all future ages. The means provided for these objects were ample, and resting on a consumption which little affected the poor, may be said to have been sensibly felt by none. The fondest wish of my heart ever was that the surplus portion of these taxes, destined for the payment of that debt, should, when that object was accomplished, be continued by annual or biennial re-enactments, and applied, in time of peace, to the improvement of our country by canals, roads and useful institutions, literary or others; and in time of war to the maintenance of the war. And I believe that keeping the civil list within proper bounds, the surplus would have been sufficient for any war, administered with integrity and judgment. For authority to apply the surplus to objects of improvement, an amendment of the constitution would have been necessary. I have said that the taxes should be continued by annual or biennial re-enactments, because a constant hold, by the nation, of the strings of the public purse, is a salutary restraint from which an honest government ought not to wish, nor a corrupt one to be permitted to be free. No tax should ever be yielded for a longer term than that of the congress wanting it, except when pledged for the reimbursement of a loan. On this system, the standing income being once liberated from the revolutionary debt, no future loan nor

TO JOHN WILSON.

J. MSS.

MONTICELLO, August 17, 1813.

SIR,—Your letter of the 3d has been duly received. That of Mr. Eppes had before come to hand, covering your MS. on the

future tax would ever become necessary, and wars would no otherwise affect our pecuniary interests than by suspending the improvements belonging to a state of peace. This happy consummation would have been achieved by another eight years' administration, conducted by Mr. Madison, and executed in its financial department by Mr. Gallatin, could peace have been so long preserved. So enviable a state in prospect for our country, induced me to temporize, and to bear with national wrongs which under no other prospect ought ever to have been unresented or unresisted. My hope was, that by giving time for reflection, and retraction of injury, a sound calculation of their own interests would induce the aggressing nations to redeem their own character by a return to the practice of right. But our lot happens to have been cast in an age when two nations to whom circumstances have given a temporary superiority over others, the one by land, the other by sea, throwing off all restraints of morality, all pride of national character, forgetting the mutability of fortune and the inevitable doom which the laws of nature pronounce against departure from justice, individual or national, have dared to treat her reclamations with derision, and to set up force instead of reason as the umpire of nations. Degrading themselves thus from the character of lawful societies into lawless bands of robbers and pirates, they are abusing their brief ascendency by desolating the world with blood and rapine. Against such a banditti, war had become less ruinous than peace, for then peace was a war on one side only. On the final and formal declarations of England, therefore, that she never would repeal her orders of council as to us, until those of France should be repealed as to other nations as well as us, and that no practicable arrangement against her impressment of our seamen could be proposed or devised, war was justly declared, and ought to have been declared. This change of condition has clouded our prospects of liberation from debt, and of being able to carry on a war without new loans or taxes. But although deferred, these prospects are not desperate. We should keep forever in view the state of 1817, towards which we were advancing, and consider it as that which we must attain. Let the old funds continue appropriated to the civil list and revolutionary debt, and the reversion of the surplus to improvement during peace, and let us take up this war as a separate business, for which, substantive and distinctive provision is to be made.

That we are bound to defray its expenses within our own time, and unathorized to burden posterity with them, I suppose to have been proved in my former letter. I will place the question nevertheless in one additional point of view. The former regarded their independent right over the earth; this over their own persons. There have existed nations, and civilized and learned nations, who

reformation of the orthography of the plural of nouns ending in *y* and *ey*, and on orthoepy. A change has been long desired in English orthography, such as might render it an easy and true index of the pronunciation of words. The want of conformity between

have thought that a father had a right to sell his child as a slave, in perpetuity; that he could alienate his body and industry conjointly, and *à fortiori* his industry separately; and consume its fruits himself. A nation asserting this fratricide right might well suppose they could burthen with public as well as private debt their "*nati natorum, et qui nascentur at illis.*" But we, this age, and in this country especially are advanced beyond those notions of natural law. We acknowledge that our children are born free; that that freedom is the gift of nature, and not of him who begot them; that though under our care during infancy, and therefore of necessity under a duly tempered authority, that care is confided to us to be exercised for the preservation and good of the child only; and his labors during youth are given as a retribution for the charges of infancy. As he was never the property of his father, so when adult he is *sui juris*, entitled himself to the use of his own limbs and the fruits of his own exertions: so far we are advanced, without mind enough, it seems, to take the whole step. We believe, or we act as if we believed, that although an individual father cannot alienate the labor of his son, the aggregate body of fathers may alienate the labor of all their sons, of their posterity, in the aggregate, and oblige them to pay for all the enterprises, just or unjust, profitable or ruinous, into which our vices, our passions, or our personal interests may lead us. But I trust that this proposition needs only to be looked at by an American to be seen in its true point of view, and that we shall all consider ourselves unauthorized to saddle posterity with our debts, and morally bound to pay them ourselves; and consequently within what may be deemed the period of a generation, or the life of the majority. In my former letter I supposed this to be a little * over twenty years. We must raise then ourselves the money for this war, either by taxes within the year, or by loans; and if by loans, we must repay them ourselves, proscribing forever the English practice of perpetual funding; the ruinous consequences of which, putting right out of the question, should be a sufficient warning to a considerate nation to avoid the example.

The raising money by Tontine, more practised on the continent of Europe than in England, is liable to the same objection, of encroachment on the independent rights of posterity; because the annuities not expiring gradually with the lives on which they rest, but all on the death of the last survivor only, they will of course over-pass the term of a generation, and the more probably as the subjects on whose lives the annuities depend, are generally chosen of the ages, constitutions and occupations most favorable to long life.

Annuities for single lives are also beyond our powers, because the single life

* A lapse of memory, not having the letter to recur to.

the combinations of letters, and the sounds they should represent, increases to foreigners the difficulty of acquiring the language, occasions great loss of time to children in learning to read, and renders correct spelling rare but in those who read much. In England a variety of plans and propositions have been made for the reformation of their orthography. Passing over these, two of our coun-

may pass the term of a generation. This last practice is objectionable too, as encouraging celibacy, and the disinherison of heirs.

Of the modes which are within the limits of right, that of raising within the year its whole expenses by taxation, might be beyond the abilities of our citizens to bear. It, is moreover, generally desirable that the public contributions should be as uniform as practicable from year to year, that our habits of industry and of expense may become adapted to them; and that they may be duly digested and incorporated with our annual economy.

There remains then for us but the method of limited anticipation, the laying taxes for a term of years within that of our right, which may be sold for a present sum equal to the expenses of the year; in other words, to obtain a loan equal to the expenses of the year, laying a tax adequate to its interest, and to such a surplus as will reimburse, by growing instalments, the whole principal within the term. This is, in fact, what has been called raising money on the sale of annuities for years. In this way a new loan, and of course a new tax, is requisite every year during the continuance of the war; and should that be so long as to produce an accumulation of tax beyond our ability, in time of war the resource would be an enactment of the taxes requisite to ensure good terms, by securing the lender, with a suspension of the payment of instalments of principal and perhaps of interest also, until the restoration of peace. This method of anticipating our taxes, or of borrowing on annuities for years, insures repayment to the lender, guards the rights of posterity, prevents a perpetual alienation of the public contributions, and consequent destitution of every resource even for the ordinary support of government. The public expenses of England during the present reign, have amounted to the fee simple value of the whole island. If its whole soil could be sold, farm by farm, for its present market price, it would not defray the cost of governing it during the reign of the present king, as managed by him. Ought not then the right of each successive generation to be guarantied against the dissipations and corruptions of those preceding, by a fundamental provision in our constitution? And, if that has not been made, does it exist the less; there being between generation and generation, as between nation and nation, no other law than that of nature? And is it the less dishonest to do what is wrong, because not expressly prohibited by written law? Let us hope our moral principles are not yet in that stage of degeneracy, and that in instituting the system of finance to be hereafter pursued, we shall adopt the only safe, the only lawful and honest one, of borrowing on such short terms

trymen, Dr. Franklin and Dr. Thornton, have also engaged in the enterprise; the former proposing an addition of two or three new characters only, the latter a reformation of the whole alphabet nearly. But these attempts in England, as well as here, have been without effect. About the middle of the last century an attempt was made to banish the letter *d* from the words bridge, judge,

of reimbursement of interest and principal as will fall within the accomplishment of our own lives.

The question will be asked and ought to be looked at, what is to be the resource if loans cannot be obtained? There is but one, "*Carthago delenda est.*" Bank paper must be suppressed, and the circulating medium must be restored to the nation to whom it belongs. It is the only fund on which they can rely for loans; it is the only resource which can never fail them, and it is an abundant one for every necessary purpose. Treasury bills, bottomed on taxes, bearing or not bearing interest, as may be found necessary, thrown into circulation will take the place of so much gold and silver, which last, when crowded, will find an efflux into other countries, and thus keep the quantum of medium at its salutary level. Let banks continue if they please, but let them discount for cash alone or for treasury notes. They discount for cash alone in every other country on earth except Great Britain, and her too often unfortunate copyist, the United States. If taken in time they may be rectified by degrees, and without injustice, but if let alone till the alternative forces itself on us, of submitting to the enemy for want of funds, or the suppression of bank paper, either by law or convulsion, we cannot foresee how it will end. The remaining questions are mathematical only. How are the taxes and the time of their continuance to be proportioned to the sum borrowed, and the stipulated interest?

The rate of interest will depend on the state of the money market, and the duration of the tax on the will of the legislature. Let us suppose that (to keep the taxes as low as possible) they adopt the term of twenty years for reimbursement, which we call their maximum; and let the interest they last gave of $7\frac{5}{8}$ per cent. be that which they must expect to give. The problem then will stand in this form. Given the sum borrowed (which call s,) a million of dollars for example; the rate of interest, .075 or $\frac{7\frac{5}{8}}{100}$ (call it r—i) and the duration of the annuity or tax, twenty years, (— t,) what will be (a) the annuity or tax, which will reimburse principal and interest within the given term? This problem, laborious and barely practicable to common arithmetic, is readily enough solved, Algebraically and with the aid of Logarithms. The theorem applied to the case is $a = \frac{sr - s \times i}{1 - \frac{1}{rt}}$ the solution of which gives $a = \$98{,}684.2$, nearly $100,000, or $\frac{1}{10}$ of the sum borrowed.

It may be satisfactory to see stated in figures the yearly progression of reim-

hedge, knowledge, &c., others of that termination, and to write them as we write age, cage, sacrilege, privilege; but with little success. The attempt was also made, which you mention in your second part, to drop the letter *u* in words of Latin derivation end-

bursement of the million of dollars, and their interest at 7½ per cent. effected by the regular payment of —— dollars annually. It will be as follows:

Borrowed, $1,000,000.

Balance after	1st	payment,	$975,000	Balance after	11th	paym't,	$594,800
"	2d	"	948,125	"	12th	"	539,410
"	3d	"	919,234	"	13th	"	479,866
"	4th	"	888,177	"	14th	"	415,850
"	5th	"	854,790	"	15th	"	347,039
"	6th	"	818,900	"	16th	"	273,068
"	7th	"	780,318	"	17th	"	193,548
"	8th	"	738,841	"	18th	"	108,064
"	9th	"	694,254	"	19th	"	16,169
"	10th	"	646,324				

If we are curious to know the effect of the same annual sum on loans at lower rates of interest, the following process will give it:

From the Logarithm of *a*, substract the Logarithm *r*—*i*, and from the number of the remaining Logarithm substract *s*, then substract the Logarithm of this last remainder from the difference between the Logarithm *a* and Logarithm *r*—*i* as found before, divide the remainder by Logarithm *r*, the quotient will be *t*. It will be found that ——— dollars will reimburse a million,

											Years.				Dollars.
At	7½	per	cent.	interest	in	19.17,	costing	in	the	whole	1,917,000
	7	"		"		17.82,	"		"		1,782,000
	6½	"		"		16.67,	"		"		1,667,000
	6	"		"		15.72,	"		"		1,572,000
	5½	"		"		14.91,	"		"		1,491,000
	5	"		"		14. 2,	"		"		1,420,000
	0	"		"		10.	"		"		1,000,000

By comparing the 1st and the last of these articles, we see that if the United States were in possession of the circulating medium, as they ought to be, they could redeem what they could borrow from that, dollar for dollar, and in ten annual instalments; whereas, the usurpation of that fund by bank paper, obliging them to borrow elsewhere at 7½ per cent., two dollars are required to reimburse one. So that it is literally true that the toleration of banks of paper-discount, costs the United States one-half their war taxes; or, in other words, doubles the expenses of every war. Now think, but for a moment, what a change of condition that would be, which should save half our war expenses, require but half the taxes, and enthral us in debt but half the time.

Two loans having been authorized, of sixteen and seven and a half millions,

ing in o*ur*, and to write honor, candor, rigor, &c., instead of honour, candour, rigour. But the *u* having been picked up in the passage of these words from the Latin, through the French, to us, is still preserved by those who consider it as a memorial of our

they will require for their due reimbursement two millions three hundred and fifty thousand dollars of the three millions expected from the taxes lately imposed. When the produce shall be known of the several items of these taxes, such of them as will make up this sum should be selected, appropriated, and pledged for the reimbursement of these loans. The balance of six hundred and fifty thousand dollars, will be provision for 6½ millions of the loan of the next year; and in all future loans, I would consider it as a rule never to be departed from, to lay a tax of $\frac{1}{10}$, and pledge it for the reimbursement.

In the preceding calculations no account is taken of the increasing population of the United States, which we know to be in a compound ratio of more than 3 per cent. per annum; nor of the increase of wealth, proved to be in a higher ratio by the increasing productiveness of the imports on consumption. We shall be safe therefore in considering every tax as growing at the rate of 3 per cent. compound ratio annually. I say *every tax*, for as to those on consumption the fact is known; and the same growth will be found in the value of real estate, if valu ed annually: or, which would be better, 3 per cent. might be assumed by the law as the average increase, and an addition of $\frac{1}{33}$ of the tax paid the preceding year, be annually called for. Supposing then a tax laid which would bring in $100,000 at the time it is laid, and that it increases annually at the rate of 3 per cent. compound, its important effect may be seen in the following statement:

The 1st year	103,090,	and reduces	the	million	to $972,000
2d "	106,090,	"	"	"	938,810
3d "	109,273,	"	"	"	899,947
4th "	112,556,	"	"	"	854,896
5th "	115,920,	"	"	"	803,053
6th "	119,410,	"	"	"	743,915
7th "	122,990,	"	"	"	676,719
8th "	126,680,	"	"	"	600,793
	915,913				
It yields the 9th year	$130,470,	and reduces it to			$515,382
10th "	134,390,	"	"		419,646
11th "	138,420,	"	"		312,699
12th "	142,580,	"	"		193,517
13th "	146,850,	"	"		61,181
14th "	151,260 over pays,				85,491
	1,759,883				

This estimate supposes a million borrowed at 7½ per cent. but, if obtained

title to the words. Other partial attempts have been made by individual writers, but with as little success. Pluralizing nouns in *y*, and *ey*, by adding *s* only, as you propose, would certainly simplify the spelling, and be analogous to the general idiom of the language. It would be a step gained in the progress of general

from the circulation without interest, it would be reimbursed within eight years and eight months, instead of fourteen years, or of twenty years, on our first estimate.

But this view being in prospect only, should not affect the quantum of tax which the former calculation pronounces necessary. Our creditors have a right to certainty, and to consider these political speculations as make-weights only to that, and at our risk, not theirs. To us belongs only the comfort of hoping an earlier liberation than that calculation holds out, and the right of providing expressly that the tax hypothecated shall cease so soon as the debt it secures shall be actually reimbursed; and I will add that to us belongs also the regret that improvident legislators should have exposed us to a twenty years' thraldom of debt and taxes, for the necessary defence of our country, where the same contributions would have liberated us in eight or nine years; or have reduced us perhaps to an abandonment of our rights, by their abandonment of the only resource which could have ensured their maintenance.

I omit many consideratious of detail because they will occur to yourself, and my letter is too long already. I can refer you to no book as treating of this subject fully and suitably to our circumstances. Smith gives the history of the public debt of England, and some views adapted to that; and Dr. Price, in his book on annuities, has given a valuable chapter on the effects of a sinking fund. But our business being to make every loan tax a sinking fund for itself, no general one will be wanting; and if my confidence is well fouuded that our original import, when freed from the revolutionary debt, will suffice to embellish and improve our country in peace, and defend her in war, the present may be the only occasion of perplexing ourselves with sinking funds.

Should the injunctions under which I laid you, as to my former letter, restrain any useful purpose to which you could apply it, I remove them; preferring public benefit to all personal considerations. My original disapprobation of banks circulating paper is not unknown, nor have I since observed any effects either on the morals or fortunes of our citizens, which are any counterbalance for the public evils produced; and a thorough conviction that, if this war continues, that circulation must be suppressed, or the government shaken to its foundation by the weight of taxes, and impracticability to raise funds on them, renders duty to that paramount to the love of ease and quiet.

When I was here in May last, I left it without knowing that Francis was at school in this neighborhood. As soon as I returned, on the present occasion, I sent for him, but his tutor informed me that he was gone on a visit to you. I

reformation, if it could prevail. But my opinion being requested I must give it candidly, that judging of the future by the past, I expect no better fortune to this than similar preceding propositions have experienced. It is very difficult to persuade the great body of mankind to give up what they have once learned, and are

shall hope permission for him always to see me on my visits to this place, which are three or four times a year.

MONTICELLO, November 6, 1813.

DEAR SIR,—I had not expected to have troubled you again on the subject of finance; but since the date of my last, I have received from Mr. Law a letter covering a memorial on that subject, which, from its tenor, I conjecture must have been before Congress at their two last sessions. This paper contains two propositions; the one for issuing treasury notes, bearing interest, and to be circulated as money; the other for the establishment of a national bank. The first was considered in my former letter; and the second shall be the subject of the present.

The scheme is for Congress to establish a national bank, suppose of thirty millions capital, of which they shall contribute ten millions in new six per cent. stock, the States ten millions, and individuals ten millions, one half of the two last contributions to be of a similar stock, for which the parties are to give cash to Congress; the whole, however, to be under the exclusive management of the individual subscribers, who are to name all the directors; neither Congress nor the States having any power of interference in its administration. Discounts are to be at five per cent., but the profits are expected to be seven per cent. Congress then will be paying six per cent. on twenty millions, and receiving seven per cent. on ten millions, being its third of the institution; so that on the ten millions cash which they receive from the States and individuals, they will, in fact, have to pay but five per cent. interest. This is the bait. The charter is proposed to be for forty or fifty years, and if any future augmentations should take place, the individual proprietors are to have the privilege of being the sole subscribers for that. Congress are further allowed to issue to the amount of three millions of notes, bearing interest, which they are to receive back in payment for lands at a premium of five or ten per cent., or as subscriptions for canals, roads, and bridges, in which undertakings they are, of course, to be engaged. This is a summary of the case as I understand it; but it is very possible I may not understand it in all its parts, these schemes being always made unintelligible for the gulls who are to enter into them. The advantages and disadvantages shall be noted promiscuously as they occur; leaving out the speculation of canals, &c., which, being an episode only in the scheme, may be omitted, to disentangle it as much as we can.

1. Congress are to receive five millions from the States (if they will enter into this partnership, which few probably will), and five millions from the

now masters of, for something to be learnt anew. Time alone insensibly wears down old habits, and produces small changes at long intervals, and to this process we must all accommodate ourselves, and be content to follow those who will not follow us.

individual subscribers, in exchange for ten millions of six per cent. stock, one per cent. of which, however, they will make on their ten millions of stock remaining in bank, and so reduce it, in effect, to a loan of ten millions at five per cent. interest. This is good; but

2. They authorize this bank to throw into circulation ninety millions of dollars, (three times the capital,) which increases our circulating medium fifty per cent., depreciates proportionably the present value of a dollar, and raises the price of all future purchases in the same proportion.

3. This loan of ten millions at five per cent., is to be once for all, only. Neither the terms of the scheme, nor their own prudence could ever permit them to add to the circulation in the same, or any other way, for the supplies of the succeeding years of the war. These succeeding years then are to be left unprovided for, and the means of doing it in a great measure precluded.

4. The individual subscribers, on paying their own five millions of cash to Congress, become the depositories of ten millions of stock belonging to Congress, five millions belonging to the States, and five millions to themselves, say twenty millions, with which, as no one has a right ever to see their books, or to ask a question, they may choose their time for running away, after adding to their booty the proceeds of as much of their own notes as they shall be able to throw into circulation.

5. The subscribers may be one, two, or three, or more individuals, (many single individuals being able to pay in the five millions,) whereupon this bank oligarchy or monarchy enters the field with ninety millions of dollars, to direct and control the politics of the nation; and of the influence of these institutions on our politics, and into what scale it will be thrown, we have had abundant experience. Indeed, England herself may be the real, while her friend and trustee here shall be the nominal and sole subscriber.

6. This state of things is to be fastened on us, without the power of relief, for forty or fifty years. That is to say, the eight millions of people now existing, for the sake of receiving one dollar and twenty-five cents apiece, at five per cent., interest, are to subject the fifty millions of people who are to succeed them within that term, to the payment of forty-five millions of dollars, principal and interest, which will be payable in the course of the fifty years.

7. But the great and national advantage is to be the relief of the present *scarcity of money*, which is produced and proved by,

1. The additional industry created to supply a variety of articles for the troops, ammunition, &c.

2. By the cash sent to the frontiers, and the vacuum occasioned in the trading towns by that.

Our Anglo-Saxon ancestors had twenty ways of spelling the word "many." Ten centuries have dropped all of them and substituted that which we now use. I now return your MS. without being able, with the gentlemen whose letters are cited, to encourage

3. By the late loans.

4. By the necessity of recurring to shavers with *good* paper, which the existing banks are not able to take up; and

5. By the numerous applications of bank charters, showing that an increase of circulating medium is wanting.

Let us examine these causes and proofs of the want of an increase of medium, one by one.

1. The additional industry created to supply a variety of articles for troops, ammunition, &c. Now, I had always supposed that war produced a diminution of industry, by the number of hands it withdraws from industrious pursuits for employment in arms, &c., which are totally unproductive. And if it calls for new industry in the articles of ammunition and other military supplies, the hands are borrowed from other branches on which the demand is slackened by the war; so that it is but a shifting of these hands from one pursuit to another.

2. The cash sent to the frontiers occasions a vacuum in the trading towns, which requires a new supply. Let us examine what are the calls for money to the frontiers. Not for clothing, tents, ammunition, arms, which are all bought in the trading towns. Not for provisions; for although these are bought partly in the immediate country, bank bills are more acceptable there than even in the trading towns. The pay of the army calls for some cash, but not a great deal, as bank notes are as acceptable with the military men, perhaps more so; and what cash is sent must find its way back again in exchange for the wants of the upper from the lower country. For we are not to suppose that cash stays accumulating there forever.

3. This scarcity has been occasioned by the late loans. But does the government borrow money to keep it in their coffers? Is it not instantly restored to circulation by payment for its necessary supplies? And are we to restore a vacuum of twenty millions of dollars by an emission of ninety millions?

4. The want of medium is proved by the recurrence of individuals with *good* paper to brokers at exorbitant interest; and

5. By the numerous applications to the State governments for additional banks; New York wanting eighteen millions, Pennsylvania ten millions, &c. But say more correctly, the speculators and spendthrifts of New York and Pennsylvania, but never consider them as being the States of New York and Pennsylvania. These two items shall be considered together.

It is a litigated question, whether the circulation of paper, rather than of specie, is a good or an evil. In the opinion of England and of English writers it is a good; in that of all other nations it is an evil; and excepting England and her copyist, the United States, there is not a nation existing, I believe,

hope as to its effect. I am bound, however, to acknowledge that this is a subject to which I have not paid much attention; and that my doubts therefore should weigh nothing against their more favorable expectations. That these may be fulfilled, and mine

which tolerates a paper circulation. The experiment is going on, however, desperately in England, pretty boldly with us, and at the end of the chapter, we shall see which opinion experience approves: for I believe it to be one of those cases where mercantile clamor will bear down reason, until it is corrected by ruin. In the meantime, however, let us reason on this new call for a national bank.

After the solemn decision of Congress against the renewal of the charter of the bank of the United States, and the grounds of that decision, (the want of constitutional power,) I had imagined that question at rest, and that no more applications would be made to them for the incorporation of banks. The opposition on that ground to its first establishment, the small majority by which it was overborne, and the means practiced for obtaining it, cannot be already forgotten. The law having passed, however, by a majority, its opponents, true to the sacred principle of submission to a majority, suffered the law to flow through its term without obstruction. During this, the nation had time to consider the constitutional question, and when the renewal was proposed, they condemned it, not by their representatives in Congress only, but by express instructions from different organs of their will. Here then we might stop, and consider the memorial as answered. But, setting authority apart, we will examine whether the Legislature ought to comply with it, even if they had the power.

Proceeding to reason on this subject, some principles must be premised as forming its basis. The adequate price of a thing depends on the capital and labor necessary to produce it. [In the term *capital*, I mean to include science, because capital as well as labor has been employed to acquire it.] Two things requiring the same capital and labor, should be of the same price. If a gallon of wine requires for its production the same capital and labor with a bushel of wheat, they should be expressed by the same price, derived from the application of a common measure to them. The comparative prices of things being thus to be estimated and expressed by a common measure, we may proceed to observe, that were a country so insulated as to have no commercial intercourse with any other, to confine the interchange of all its wants and supplies within itself, the amount of circulating medium, as a common measure for adjusting these exchanges, would be quite immaterial. If their circulation, for instance, were of a million of dollars, and the annual produce of their industry equivalent to ten millions of bushels of wheat, the price of a bushel of wheat might be one dollar. If, then, by a progressive coinage, their medium should be doubled, the price of a bushel of wheat might become progressively two dollars, and without inconvenience. Whatever be the proportion of the circulating

prove unfounded, I sincerely wish, because I am a friend to the reformation generally of whatever can be made better, and because it could not fail of gratifying you to be instrumental in this work. Accept the assurance of my respect.

medium to the value of the annual produce of industry, it may be considered as the representative of that industry. In the first case, a bushel of wheat will be represented by one dollar; in the second, by two dollars. This is well explained by Hume, and seems admitted by Adam Smith, B. 2. c. 2, 436, 441, 490. But where a nation is in a full course of interchange of wants and supplies with all others, the proportion of its medium to its produce is no longer indifferent. Ib. 441. To trade on equal terms, the common measure of values should be as nearly as possible on a par with that of its corresponding nations, whose medium is in a sound state; that is to say, not in an accidental state of excess or deficiency. Now, one of the great advantages of specie as a medium is, that being of universal value, it will keep itself at a general level, flowing out from where it is too high into parts where it is lower. Whereas, if the medium be of local value only, as paper money, if too little, indeed, gold and silver will flow in to supply the deficiency; but if too much, it accumulates, banishes the gold and silver not locked up in vaults and hoards, and depreciates itself; that is to say, its proportion to the annual produce of industry being raised, more of it is required to represent any particular article of produce than in other countries. This is agreed by Smith, (B. 2. c. 2. 437,) the principle advocate for a paper circulation; but advocating it on the sole condition that it be strictly regulated. He admits, nevertheless, that "the commerce and industry of a country cannot be so secure when suspended on the Dædalian wings of paper money, as on the solid ground of gold and silver; and that in the time of war, the insecurity is greatly increased, and great confusion possible where the circulation is for the greater part in paper." B. 2. c. 2. 484. But in a country where loans are uncertain, and a specie circulation the only sure resource for them, the preference of that circulation assumes a far different degree of importance, as is explained in my former letters.

The only advantage which Smith proposes by substituting paper in the room of gold and silver money, B. 2. c. 2. 434, is "to replace an expensive instrument with one much less costly, and *sometimes* equally convenient"; that is to say, page 437, "to allow the gold and silver to be sent abroad and converted into foreign goods," and to substitute paper as being a cheaper measure. But this makes no addition to the stock or capital of the nation. The coin sent out was worth as much, while in the country, as the goods imported and taking its place. It is only, then, a change of form in a part of the national capital, from that of gold and silver to other goods. He admits, too, that while a part of the goods received in exchange for the coin exported may be materials, tools and provisions for the employment of an additional industry, a part, also, may be taken back in foreign wines, silks, &c., to be consumed by idle people who

TO JOHN ADAMS. J. MSS.

MONTICELLO, August 22, 1813.

DEAR SIR.—Since my letter of June the 27th, I am in your debt for many; all of which I have read with infinite delight. They

produce nothing; and so far the substitution promotes prodigality, increases expense and corruption, without increasing production. So far also, then, it lessens the capital of the nation. What may be the amount which the conversion of the part exchanged for productive goods may add to the former productive mass, it is not easy to ascertain, because, as he says, page 441, "it is impossible to determine what is the proportion which the circulating money of any country bears to the whole value of the annual produce. It has been computed by different authors, from a fifth * to a thirtieth of that value." In the United States it must be less than in any other part of the commercial world; because the great mass of their inhabitants being in responsible circumstances, the great mass of their exchanges in the country is effected on credit, in their merchants' ledger, who supplies all their wants through the year, and at the end of it receives the produce of their farms, or other articles of their industry. It is a fact, that a farmer with a revenue of ten thousand dollars a year, may obtain all his supplies from his merchant, and liquidate them at the end of the year, by the sale of his produce to him, without the intervention of a single dollar of cash. This, then, is merely barter, and in this way of barter a great portion of the annual produce of the United States is exchanged without the intermediation of cash. We might safely, then, state our medium at the minimum of one-thirtieth. But what is one-thirtieth of the value of the annual produce of the industry of the United States? Or what is the whole value of the annual produce of the United States? An able writer and competent judge of the subject, in 1799, on as good grounds as probably could be taken, estimated it, on the then population of four and a half millions of inhabitants, to be thirty-seven and a half millions sterling, or one hundred and sixty-eight and three-fourths millions of dollars. See Cooper's Political Arithmetic, page 47. According to the same estimate for our present population, it will be three hundred millions of dollars, one-thirtieth of which, Smith's minimum, would be ten millions, and one-fifth, his maximum, would be sixty millions for the quantum of circulation. But suppose that instead of our needing the least circulating medium of any nation, from the circumstance before mentioned, we should place ourselves in the middle term of the calculation, to-wit: at thirty-five millions. One-fifth of this, at the least, Smith thinks should be retained in specie, which would leave twenty-eight millions of specie to be exported in exchange for other commodi-

* The real cash or money necessary to carry on the circulation and barter of a State, is nearly one-third part of all the annual rents of the proprietors of the said State; that is, one ninth of the whole produce of the land. Sir William Petty supposes one-tenth part of the value of the whole produce sufficient. Postlethwait, voce, Cash.

open a wide field for reflection, and offer subjects enough to occupy the mind and the pen indefinitely. I must follow the good example you have set, and when I have not time to take up every subject, take up a single one. Your approbation of my outline to

ties; and if fifteen millions of that should be returned in productive goods, and not in articles of prodigality, that would be the amount of capital which this operation would add to the existing mass. But to what mass? Not that of the three hundred millions, which is only its gross annual produce, but to that capital of which the three hundred millions are but the annual produce. But this being gross, we may infer from it the value of the capital by considering that the rent of lands is generally fixed at one-third of the gross produce, and is deemed its nett profit, and twenty times that its fee simple value. The profits on landed capital may, with accuracy enough for our purpose, be supposed on a par with those of other capital. This would give us then for the United States, a capital of two thousand millions, all in active employment, and exclusive of unimproved lands lying in a great degree dormant. Of this, fifteen millions would be the hundred and thirty-third part. And it is for this petty addition to the capital of the nation, this minimum of one dollar, added to one hundred and thirty-three and a third or three-fourths per cent., that we are to give up our gold and silver medium, its intrinsic solidity, its universal value, and its saving powers in time of war, and to substitute for it paper, with all its train of evils, moral, political and physical, which I will not pretend to enumerate.

There is another authority to which we may appeal for the proper quantity of circulating medium for the United States. The old Congress, when we were estimated at about two millions of people, on a long and able discussion, June 22d, 1775, decided the sufficient quantity to be two millions of dollars, which sum they then emitted. * According to this, it should be eight millions, now that we are eight millions of people. This differs little from Smith's minimum of ten millions, and strengthens our respect for that estimate.

There is, indeed, a convenience in paper; its easy transmission from one place to another. But this may be mainly supplied by bills of exchange, so as to prevent any great displacement of actual coin. Two places trading together balance their dealings, for the most part, by their mutual supplies, and the debtor individuals of either may, instead of cash, remit the bills of those who are creditors in the same dealings; or may obtain them through some third place with which both have dealings. The cases would be rare where such bills could not be obtained, either directly or circuitously, and too unimportant to the nation to overweigh the train of evils flowing from paper circulation.

From eight to thirty-five millions then being our proper circulation, and two

* Within five months after this, they were compelled by the necessities of the war, to abandon the idea of emitting only an adequate circulation, and to make those necessities the sole measure of their emissions.

Dr. Priestley is a great gratification to me; and I very much suspect that if thinking men would have the courage to think for themselves, and to speak what they think, it would be found they do not differ in religious opinions as much as is supposed.

hundred millions the actual one, the memorial proposes to issue ninety millions more, because, it says, a great scarcity of money is proved by the numerous applications for banks; to wit, New-York for eighteen millions, Pennsylvania ten millions, &c. The answer to this shall be quoted from Adam Smith, B. 2. c. 2. page 462; where speaking of the complaints of the trader against the Scotch bankers, who had already gone too far in their issues of paper, he says, "those traders and other undertakers having got so much assistance from banks, wished to get still more. The banks, they seem to have thought, could extend their credits to whatever sum might be wanted, without incurring any other expense besides that of a few reams of paper. They complained of the contracted views and dastardly spirit of the directors of those banks, which did not, they said, extend their credits in proportion to the extension of the trade of the country, meaning, no doubt, by the extension of that trade, the extension of their own projects beyond what they could carry on, either *with their own capital*, or with what they had credit to borrow of private people in the usual way of bond or mortgage. The banks, they seem to have thought, were in honor bound to supply the deficiency, and to provide them with all the capital which they wanted to trade with." And again, page 470: "when bankers discovered that certain projectors were trading, not with any capital of their own, but with that which they advanced them, they endeavored to withdraw gradually, making every day greater and greater difficulties about discounting. These difficulties alarmed and enraged in the highest degree those projectors. Their own distress, of which this prudent and necessary reserve of the banks was no doubt the immediate occasion, they called the distress of the country; and this distress of the country, they said, was altogether owing to the ignorance, pusillanimity, and bad conduct of the banks, which did not give a sufficiently liberal aid to the spirited undertakings of those who exerted themselves in order to beautify, improve and enrich the country. It was the duty of the banks, they seemed to think, to lend for as long a time, and to as great an extent, as they might wish to borrow." It is, probably, the *good paper* of these projectors which the memorial says, the bank being *unable* to discount, goes into the hands of brokers, who (knowing the risk of this *good paper*) discount it at a much higher rate than legal interest, to the great distress of the enterprising adventurers, who had rather try trade on borrowed capital, than go to the plough or other laborious calling. Smith again says, page 478, "that the industry of Scotland languished for want of money to employ it, was the opinion of the famous Mr. Law. By establishing a bank of a particular kind, which, he seems to have imagined might issue paper to the amount of the whole value of all the lands in the country, he pro-

I remember to have heard Dr. Priestley say, that if all England would candidly examine themselves, and confess, they would find that Unitarianism was really the religion of all; and I observe a bill is now depending in parliament for the relief of Anti-Trini-

posed to remedy this want of money. It was afterwards adopted, with some variations, by the Duke of Orleans, at that time Regent of France. The idea of the possibility of multiplying paper to almost any extent, was the real foundation of what is called the Mississippi scheme, the most extravagant project both of banking and stock jobbing, that perhaps the world ever saw. The principles upon which it was founded are explained by Mr. Law himself, in a discourse concerning money and trade, which he published in Scotland when he first proposed his project. The splendid but visionary ideas which are set forth in that and some other works upon the same principles, still continue to make an impression upon many people, and have perhaps, in part, contributed to that excess of banking which has of late been complained of both in Scotland and in other places." The Mississippi scheme, it is well known, ended in France in the bankruptcy of the public treasury, the crush of thousands and thousands of private fortunes, and scenes of desolation and distress equal to those of an invading army, burning and laying waste all before it.

At the time we were funding our national debt, we heard much about "a public debt, being a public blessing;" that the stock representing it was a creation of active capital for the aliment of commerce, manufactures and agriculture. This paradox was well adapted to the minds of believers in dreams, and the gulls of that size entered *bonâ fide* into it. But the art and mystery of banks is a wonderful improvement on that. It is established on the principle that "*private* debts are a public blessing." That the evidences of those private debts, called bank notes, become active capital, and aliment the whole commerce, manufactures, and agriculture of the United States. Here are a set of people, for instance, who have bestowed on us the great blessing of running in our debt about two hundred millions of dollars without our knowing who they are, where they are, or what property they have to pay this debt when called on; nay, who have made us so sensible of the blessings of letting them run in our debt, that we have exempted them by law from the payment of these debts beyond a given proportion, (generally estimated at one-third.) And to fill up the measure of blessing, instead of paying, they receive an interest on what they owe from those to whom they owe; for all the notes, or evidences of what they owe, which we see in circulation, have been lent to somebody on an interest which is levied again on us through the medium of commerce. And they are so ready still to deal out their liberalities to us, that they are now willing to let themselves run in our debt ninety millions more, on our paying them the same premium of six or eight per cent. interest, and on the same legal exemption from the repayment of more

tarians. It is too late in the day for men of sincerity to pretend they believe in the Platonic mysticisms that three are one, and one is three; and yet that the one is not three, and the three are not one; to divide mankind by a single letter into ομοσιανς

than thirty millions of the debt, when it shall be called for. But let us look at this principle in its original form, and its copy will then be equally understood. "A public debt is a public blessing." That our debt was juggled from forty-three up to eighty millions, and funded at that amount, according to this opinion was a great public blessing, because the evidences of it could be vested in commerce, and thus converted into active capital, and then the more the debt was made to be, the more active capital was created. That is to say, the creditors could now employ in commerce the money due them from the public, and make from it an annnal profit of five per cent., or four millions of dollars. But observe, that the public were at the same time paying on it an interest of exactly the same amount of four millions of dollars. Where then is the gain to either party, which makes it a public blessing? There is no change in the state of things, but of persons only. A has a debt due to him from the public, of which he holds their certificate as evidence, and on which he is receiving an annual interest. He wishes, however, to have the money itself, and to go into business with it. B has an equal sum of money in business, but wishes now to retire, and live on the interest. He therefore gives it to A in exchange for A's certificates of public stock. Now, then, A has the money to employ in business, which B so employed before. B has the money on interest to live on, which A. lived on before; and the public pays the interest to B. which they paid to A. before. Here is no new creation of capital, no additional money employed, nor even a change in the employment of a single dollar. The only change is of place between A and B in which we discover no creation of capital, nor public blessing. Suppose, again, the public to owe nothing. Then A not having lent his money to the public, would be in possession of it himself, and would go into business without the previous operation of selling stock. Here again, the same quantity of capital is employed as in the former case, though no public debt exists. In neither case is there any creation of active capital, nor other difference than that there is a public debt in the first case, and none in the last; and we may safely ask which of the two situations is most truly a public blessing? If, then, a *public* debt be no public blessing, we may pronounce, *à fortiori*, that a private one cannot be so. If the debt which the banking companies owe be a blessing to any body, it is to themselves alone, who are realizing a solid interest of eight or ten per cent. on it. As to the public, these companies have banished all our gold and silver medium, which, before their institution, we had without interest, which never could have perished in our hands, and would have been our salvation now in the hour of war; instead of which they have given us two hundred million of froth and bubble, on which we are

and ὁμοιοσιανς. But this constitutes the craft, the power and the profit of the priests. Sweep away their gossamer fabrics of factitious religion, and they would catch no more flies. We should all then, like the Quakers, live without an order of priests,

to pay them heavy interest, until it shall vanish into air, as Morris' notes did. We are warranted, then, in affirming that this parody on the principle of "a public debt being a public blessing," and its mutation into the blessing of private instead of public debts, is as ridiculous as the original principle itself. In both cases, the truth is, that capital may be produced by industry, and accumulated by economy; but jugglers only will propose to create it by legerdemain tricks with paper.

I have called the actual circulation of bank paper in the United States, two hundred millions of dollars. I do not recollect where I have seen this estimate; but I retain the impression that I thought it just at the time. It may be tested, however, by a list of the banks now in the United States, and the amount of their capital. I have no means of recurring to such a list for the present day; but I turn to two lists in my possession for the years of 1803 and 1804.

In 1803, there were thirty-four banks, whose capital was . .	$28,902,000
In 1804, there were sixty-six, consequently thirty-two additional ones. Their capital is not stated, but at the average of the others, (excluding the highest, that of the United States, which was of ten millions,) they would be of six hundred thousand dollars each, and add	19,200,000
Making a total of	$48,102,000

or say of fifty millions in round numbers. Now, every one knows the immense multiplication of these institutions since 1804. If they have only doubled, their capital will be of one hundred millions, and if trebled, as I think probable, it will be one hundred and fifty millions, on which they are at liberty to circulate treble the amount. I should sooner, therefore, believe two hundred millions to be far below than above the actual circulation. In England, by a late parliamentary document, (see Virginia Argus of October the 18th, 1813, and other public papers of about that date,) it appears that six years ago the Bank of England had twelve millions of pounds sterling in circulation, which had increased to forty-two millions in 1812, or to one hundred and eighty-nine millions of dollars. What proportion all the other banks may add to this, I do not know; if we were allowed to suppose they equal it, this would give a circulation of three hundred and seventy-eight millions, or the double of ours on a double population. But that nation is essentially commercial, ours essentially agricultural, and needing, therefore, less circulating medium, because the produce of the husbandman comes but once a year, and is then partly consumed at home, partly exchanged by barter. The dollar, which was of four shilling and

moralize for ourselves, follow the oracle of conscience, and say nothing about what no man can understand, nor therefore believe; for I suppose belief to be the assent of the mind to an intelligible proposition.

sixpence sterling, was, by the same document, stated to be then six shillings and nine pence, a depreciation of exactly fifty per cent. The average price of wheat on the continent of Europe, at the commencement of its present war with England, was about a French crown of one hundred and ten cents, the bushel. With us it was one hundred cents, and consequently we could send it there in competition with their own. That ordinary price has now doubled with us, and more than doubled in England; and although a part of this augmentation may proceed from the war demand, yet from the extraordinary nominal rise in the prices of land and labor here, both of which have nearly doubled in that period, and are still rising with every new bank, it is evident that were a general peace to take place to-morrow, and time allowed for the re-establishment of commerce, justice, and order, we could not afford to raise wheat for much less than two dollars, while the continent of Europe, having no paper circulation, and that of its specie not being augmented, would raise it at their former price of one hundred and ten cents. It follows, then, that with our redundancy of paper, we cannot, after peace, send a bushel of wheat to Europe, unless extraordinary circumstances double its price in particular places, and that then the exporting countries of Europe could undersell us.

It is said that our paper is as good as silver, because we may have silver for it at the bank where it issues. This is not true. One, two, or three persons might have it; but a general application would soon exhaust their vaults, and leave a ruinous proportion of their paper in its intrinsic worthless form. It is a fallacious pretence, for another reason. The inhabitants of the banking cities might obtain cash for their paper, as far as the cash of the vaults would hold out, but distance puts it out of the power of the country to do this. A farmer having a note of a Boston or Charleston bank, distant hundreds of miles, has no means of calling for the cash. And while these calls are impracticable for the country, the banks have no fear of their being made from the towns; because their inhabitants are mostly on their books, and there on sufferance only, and during good behavior.

In this state of things, we are called on to add ninety millions more to the circulation. Proceeding in this career, it is infallible, that we must end where the revolutionary paper ended. Two hundred millions was the whole amount of all the emissions of the old Congress, at which point their bills ceased to circulate. We are now at that sum, but with treble the population, and of course a longer tether. Our depreciation is, as yet, but about two for one. Owing to the support its credit receives from the small reservoirs of specie in the vaults or the banks, it is impossible to say at what point their notes will stop. Nothing is necessary to effect it but a general alarm; and that may take place

It is with great pleasure I can inform you, that Priestley finished the comparative view of the doctrines of the philosophers of antiquity, and of Jesus, before his death; and that it was printed soon after. And, with still greater pleasure, that I can have a

whenever the public shall begin to reflect on, and perceive the impossibility that the banks should repay this sum. At present, caution is inspired no farther than to keep prudent men from selling property on long payments. Let us suppose the panic to arise at three hundred millions, a point to which every session of the legislatures hasten us by long strides. Nobody dreams that they would have three hundred millions of specie to satisfy the holders of their notes. Were they even to stop now, no one supposes they have two hundred millions in cash, or even the sixty-six and two-third millions, to which amount alone the law compels them to repay. One hundred and thirty-three and one-third millions of loss, then, is thrown on the public by law; and as to the sixty-six and two-thirds, which they are legally bound to pay, and ought to have in their vaults, every one knows there is no such amount of cash in the United States, and what would be the course with what they really have there? Their notes are refused. Cash is called for. The inhabitants of the banking towns will get what is in the vaults, until a few banks declare their insolvency; when, the general crush becoming evident, the others will withdraw even the cash they have, declare their bankruptcy at once, and leave an empty house and empty coffers for the holders of their notes. In this scramble of creditors, the country gets nothing, the towns but little. What are they to do? Bring suits? A million of creditors bring a million of suits against John Nokes and Robert Styles, wheresoever to be found? All nonsense. The loss is total. And a sum is thus swindled from our citizens, of seven times the amount of the real debt, and four times that of the fictitious one of the United States, at the close of the war. All this they will justly charge on their legislatures; but this will be poor satisfaction for the two or three hundred millions they will have lost. It is time, then, for the public functionaries to look to this. Perhaps it may not be too late. Perhaps, by giving time to the banks, they may call in and pay off their paper by degrees. But no remedy is even to be expected while it rests with the State legislatures. Personal motive can be excited through so many avenues to their will, that, in their hands, it will continue to go on from bad to worse, until the catastrophe overwhelms us. I still believe, however, that on proper representations of the subject, a great proportion of these legislatures would cede to Congress their power of establishing banks, saving the charter rights already granted. And this should be asked, not by way of amendment to the constitution, because until three-fourths should consent, nothing could be done; but accepted from them one by one, singly, as their consent might be obtained. Any single State, even if no other should come into the measure, would find its interest in arresting foreign bank paper immediately, and its own by degrees. Specie would flow in on them as paper dis-

copy of his work forwarded from Philadelphia, by a correspondent there, and presented for your acceptance, by the same mail which carries you this, or very soon after. The branch of the work which the title announces, is executed with learning and candor, as was everything Priestley wrote, but perhaps a little hastily; for he felt himself pressed by the hand of death. The Abbé Batteux had, in fact laid the foundation of this part in his Causes Premieres, with which he has given us the originals of

appeared. Their own banks would call in and pay off their notes gradually, and their constituents would thus be saved from the general wreck. Should the greater part of the States concede, as is expected, their power over banks to Congress, besides insuring their own safety, the paper of the non-conceding States might be so checked and circumscribed, by prohibiting its receipt in any of the conceding States, and even in the non-conceding as to duties, taxes, judgments, or other demands of the United States, or of the citizens of other States, that it would soon die of itself, and the medium of gold and silver be universally restored. This is what ought to be done. But it will not be done. *Carthago non delibitur.* The overbearing clamor of merchants, speculators, and projectors, will drive us before them with our eyes open, until, as in under the Mississippi bubble, our citizens will be overtaken by the crush of this baseless fabric, without other satisfaction than that of execrations on the heads of those functionaries, who, from ignorance, pusillanimity or corruption, have betrayed the fruits of their industry into the hands of projectors and swindlers.

When I speak comparatively of the paper emission of the old Congress and the present banks, let it not be imagined that I cover them under the same mantle. The object of the former was a holy one; for if ever there was a holy war, it was that which saved our liberties and gave us independence. The object of the latter, is to enrich swindlers at the expense of the honest and industrious part of the nation.

The sum of what has been said is, that pretermitting the constitutional question on the authority of Congress, and considering this application on the grounds of reason alone, it would be best that our medium should be so proportioned to our produce, as to be on a par with that of the countries with which we trade, and whose medium is in a sound state; that specie is the most perfect medium, because it will preserve its own level; because, having intrinsic and universal value, it can never die in our hands, and it is the surest resource of reliance in time of war; that the trifling economy of paper, as a cheaper medium, or its convenience for transmission, weighs nothing in opposition to the advantages of the precious metals; that it is liable to be abused, has been, is, and forever will be abused, in every country in which it is permitted; that it is already at a term of abuse in these States, which has never been reached

Ocellus and Timæus, who first committed the doctrines of Pythagoras to writing, and Enfield, to whom the Doctor refers, had done it more copiously. But he has omitted the important branch, which, in your letter of August the 9th, you say you have never seen executed, a comparison of the morality of the Old Testament with that of the New. And yet, no two things were ever more unlike. I ought not to have asked him to give it. He dared not. He would have been eaten alive by his intolerant

by any other nation, France excepted, whose dreadful catastrophe should be a warning against the instrument which produced it; that we are already at ten or twenty times the due quantity of medium; insomuch, that no man knows what his property is now worth, because it is bloating while he is calculating; and still less what it will be worth when the medium shall be relieved from its present dropsical state; and that it is a palpable falsehood to say we can have specie for our paper whenever demanded. Instead, then, of yielding to the cries of scarcity of medium set up by speculators, projectors and commercial gamblers, no endeavors should be spared to begin the work of reducing it by such gradual means as may give time to private fortunes to preserve their poise, and settle down with the subsiding medium; and that, for this purpose, the States should be urged to concede to the General Government, with a saving of chartered rights, the exclusive power of establishing banks of discount for paper.

To the existence of banks of *discount* for *cash*, as on the continent of Europe, there can be no objection, because there can be no danger of abuse, and they are a convenience both to merchants and individuals. I think they should even be encouraged, by allowing them a larger than legal interest on short discounts, and tapering thence, in proportion as the term of discount is lengthened, down to legal interest on those of a year or more. Even banks of *deposit*, where cash should be lodged, and a paper acknowledgment taken out as its representative, entitled to a return of the cash on demand, would be convenient for remittances, travelling persons, &c. But, liable as its cash would be to be pilfered and robbed, and its paper to be fraudulently re-issued, or issued without deposit, it would require skilful and strict regulation. This would differ from the bank of Amsterdam, in the circumstance that the cash could be redeemed on returning the note.

When I commenced this letter to you, my dear Sir, on Mr. Law's memorial, I expected a short one would have answered that. But as I advanced, the subject branched itself before me into so many collateral questions, that even the rapid views I have taken of each have swelled the volume of my letter beyond my expectations, and, I fear, beyond your patience. Yet on a revisal of it, I find no part which has not so much bearing on the subject as to be worth merely the time of perusal. I leave it then as it is; and will add only the assurances of my constant and affectionate esteem and respect.

brethren, the Cannibal priests. And yet, this was really the most interesting branch of the work.

Very soon after my letter to Doctor Priestley, the subject being still in my mind I had leisure during an abstraction from business for a day or two, while on the road, to think a little more on it, and to sketch more fully than I had done to him, a syllabus of of the matter which I thought should enter into the work. I wrote it to Doctor Rush, and there ended all my labor on the subject; himself and Doctor Priestley being the only two depositories of my secret. The fate of my letter to Priestley, after his death, was a warning to me on that of Doctor Rush; and at my request, his family were so kind as to quiet me by returning my original letter and syllabus. By this, you will be sensible how much interest I take in keeping myself clear of religious disputes before the public, and especially of seeing my syllabus disembowelled by the Aruspices of the modern Paganism. Yet I enclose it *to you* with entire confidence, free to be perused by yourself and Mrs. Adams, but by no one else, and to be returned to me.

You are right in supposing, in one of yours, that I had not read much of Priestley's Predestination, his no-soul system, or his controversy with Horsley. But I have read his Corruptions of Christianity, and Early Opinions of Jesus, over and over again; and I rest on them, and on Middleton's writings, especially his letters from Rome, and to Waterland, as the basis of my own faith. These writings have never been answered, nor can be answered by quoting historical proofs, as they have done. For these facts, therefore, I cling to their learning, so much superior to my own.

I now fly off in a tangent to another subject. Marshall, in the first volume of his history, chapter 3, p. 180, ascribes the petition to the King, of 1774, (1 Journ. Cong. 67) to the pen of Richard Henry Lee. I think myself certain it was not written by him, as well from what I recollect to have heard, as from the internal evidence of style. His was loose, vague, frothy, rhetorical. He was a poorer writer than his brother Arthur; and Arthur's standing may be seen in his Monitor's letters, to insure the sale of which, they took the precaution of tacking to them a new

edition of the Farmer's letters, like Mezentius, who "*mortua jungebat corpora vivis.*" You were of the committee, and can tell me who wrote this petition, and who wrote the address to the inhabitants of the colonies, ib. 45. Of the papers of July 1775, I recollect well that Mr. Dickinson drew the petition to the King, ib. 149; I think Robert R. Livingston drew the address to the inhabitants of Great Britain, ib. 152. Am I right in this? And who drew the address to the people of Ireland, ib. 180? On these questions I ask of your memory to help mine. Ever and affectionately yours.

TO JOSIAH MEIGS. J. MSS.

MONTICELLO, Sep. 18. 13.

DEAR SIR,—I thank you for the information contained in your letter of Aug. 25. I confess that when I heard of the atrocities committed by the English troops at Hampton, I did not believe them, but subsequent evidence has placed them beyond doubt. To this has been added information from another quarter which proves the violation of women to be their habitual practice in war. Mr. Hamilton, a son of Alexander Hamilton, of course, a federalist and Angloman, and who was with the British army in Spain declares it is their constant practice, and that at the taking Badajoz, he was himself eye-witness to it in the streets, & that the officers did not attempt to restrain it. The information contained in your letter proves it is not merely a recent practice. This is a trait of barbarism, in addition to their encouragement of the savage cruelties, & their brutal treatment of prisoners of war, which I had not attached to their character.

I am happy to hear that yourself & family enjoy good health & tender you the assurance of my great esteem & respect.

TO JAMES MARTIN. J. MSS.

MONTICELLO, September 20, 1813.

SIR,—Your letter of August 20th, enabled me to turn to mine of February 23d, 1798, and your former one of February 22d, 1801, and to recall to my memory the oration at Jamaica, which

was the subject of them. I see with pleasure a continuance of the same sound principles in the address to Mr. Quincy. Your quotation from the former paper alludes, as I presume, to the term of office to our Senate; a term, like that of the judges, too long for my approbation. I am for responsibilities at short periods, seeing neither reason nor safety in making public functionaries independent of the nation for life, or even for long terms of years. On this principle I prefer the Presidential term of four years, to that of seven years, which I myself had at first suggested, annexing to it, however, ineligibility forever after; and I wish it were now annexed to the 2d quadrennial election of President.

The conduct of Massachusetts, which is the subject of your address to Mr. Quincy, is serious, as embarassing the operations of the war, and jeopardizing its issue; and still more so, as an example of contumacy against the Constitution. One method of proving their purpose, would be to call a convention of their State, and to require them to declare themselves members of the Union, and obedient to its determinations, or not members, and let them go. Put this question solemnly to their people, and their answer cannot be doubtful. One half of them are republicans, and would cling to the Union from principle. Of the other half, the dispassionate part would consider, 1st. That they do not raise bread sufficient for their own subsistence, and must look to Europe for the deficiency, if excluded from our ports, which vital interests would force us to do. 2d. That they are navigating people without a stick of timber for the hull of a ship, nor a pound of anything to export in it, which would be admitted at any market. 3d. That they are also a manufacturing people, and left by the exclusive system of Europe without a market but ours. 4th. That as the rivals of England in manufactures, in commerce, in navigation, and fisheries, they would meet her competition in every point. 5th. That England would feel no scruples in making the abandonment and ruin of such a rival the price of a treaty with the producing States; whose interest too it would be to nourish a navigation beyond the Atlantic, rather than a hostile one at our own door. And 6th. That in case of war with the Union, which occurrences between coterminous nations frequently produce, it would be a contest of one against fifteen.

The remaining portion of the Federal moiety of the State would, I believe, brave all these obstacles, because they are monarchists in principle, bearing deadly hatred to their republican fellow-citizens, impatient under the ascendency of republican principles, devoted in their attachment to England, and preferring to be placed under her despotism, if they cannot hold the helm of government here. I see, in their separation, no evil but the example, and I believe that the effect of that would be corrected by an early and humiliating return to the Union, after losing much of the population of their country, insufficient in its own resources to feed her numerous inhabitants, and inferior in all its allurements to the more inviting soils, climates, and governments of the other States. Whether a dispassionate discussion before the public, of the advantages and disadvantages of separation to both parties, would be the best medicine for this dialytic fever, or to consider it as sacrilege ever to touch the question, may be doubted. I am, myself, generally disposed to indulge, and to follow reason; and believe that in no case would it be safer than in the present. Their refractory course, however, will not be unpunished by the indignation of their co-States, their loss of influence with them, the censures of history, and the stain on the character of their State. With my thanks for the paper enclosed, accept the assurance of my esteem and respect.

TO DOCTOR GEORGE LOGAN. J. MSS.

MONTICELLO, October 3, 1813.

DEAR SIR,—I have duly received your favor of September 18th, and I perceive in it the same spirit of peace which I know you have ever breathed, and to preserve which you have made many personal sacrifices. That your efforts did much towards preventing declared war with France, I am satisfied. Of those with England, I am not equally informed. I have ever cherished the same spirit with all nations, from a consciousness that peace, prosperity, liberty, and morals, have an intimate connection. During the eight years of my administration, there was not a year that England did not give us such cause as would have

provoked a war from any European government. But I always hoped that time and friendly remonstrances would bring her to a sounder view of her own interests, and convince her that these would be promoted by a return to justice and friendship towards us. Continued impressments of our seamen by her naval commanders, whose interest it was to mistake them for theirs, her innovations on the law of nations to cover real piracies, could illy be borne; and perhaps would not have been borne, had not contraventions of the same law by France, fewer in number but equally illegal, rendered it difficult to single the object of war. England, at length, singled herself, and took up the gauntlet, when the unlawful decrees of France being revoked as to us, she, by the proclamation of her Prince Regent, protested to the world that she would never revoke hers until those of France should be removed as to all nations. Her minister, too, about the same time, in an official conversation with our Chargé, rejected our substitute for her practice of impressment; proposed no other; and declared explicitly that no admissible one for this abuse could be proposed. Negotiation being thus cut short, no alternative remained but war, or the abandonment of the persons and property of our citizens on the ocean. The last one, I presume, no American would have preferred. War was therefore declared, and justly declared; but accompanied with immediate offers of peace on simply doing us justice. These offers were made through Russel, through Admiral Warren, through the government of Canada, and the mediation proposed by her best friend Alexander, and the greatest enemy of Bonaparte, was accepted without hesitation. An entire confidence in the abilities and integrity of those now administering the government, has kept me from the inclination, as well as the occasion, of intermeddling in the public affairs, even as a private citizen may justifiably do. Yet if you can suggest any conditions which we ought to accept, and which have not been repeatedly offered and rejected, I would not hesitate to become the channel of their communication to the administration. The revocation of the orders of council, and discontinuance of impressment, appear to me indispensable. And I think a thousand ships taken unjustifiably in time of peace, and thousands of our citizens impressed, warrant expectations of indemni-

fication; such a Western frontier, perhaps, given to Canada, as may put it out of their power hereafter to employ the tomahawk and scalping-knife of the Indians on our women and children; or, what would be nearly equivalent, the exclusive right to the lakes. The modification, however, of this indemnification must be effected by the events of the war. No man on earth has stronger detestation than myself of the unprincipled tyrant who is deluging the continent of Europe with blood. No one was more gratified by his disasters of the last campaign; nor wished, more sincerely, success to the efforts of the virtuous Alexander, But the desire of seeing England forced to just terms of peace with us, makes me equally solicitous for her entire exclusion from intercourse with the rest of the world, until by this peaceable engine of constraint, she can be made to renounce her views of dominion over the ocean, of permitting no other nation to navigate it but with her license, and on tribute to her; and her aggressions on the persons of our citizens who may choose to exercise their right of passing over that element. Should the continental armistice issue in closing Europe against her, she may become willing to accede to just terms with us; which I should certainly be disposed to meet, whatever consequences it might produce on our intercourse with the continental nations. My principle is to do whatever is right, and leave consequences to Him who has the disposal of them. I repeat, therefore, that if you can suggest what may lead to a just peace, I will willingly communicate it to the proper functionaries. In the meantime, its object will be best promoted by a vigorous and unanimous prosecution of the war.

I am happy in this occasion of renewing the interchange of sentiments between us, which has formerly been a source of much satisfaction to me; and with the homage of my affectionate attachment and respect to Mrs. Logan, I pray you to accept the assurance of my continued friendship and esteem for yourself.

TO JOHN ADAMS. J.MSS.

MONTICELLO October 28, 1813.

DEAR SIR,—According to the reservation between us, of taking up one of the subjects of our correspondence at a time, I turn to your letters of August the 16th and September the 2d.

The passage you quote from Theognis, I think has an ethical rather than a political object. The whole piece is a moral *exhortation*, παραινεσις, and this passage particularly seems to be a reproof to man, who while with his domestic animals he is curious to improve the race, by employing always the finest male, pays no attention to the improvement of his own race, but intermarries with the vicious, the ugly, or the old, for considerations of wealth or ambition. It is in conformity with the principle adopted afterwards by the Pythagoreans, and expressed by Ocellus in another form; περι δε τῆς ἐκ τῶν αλληλων ανθρωπων γενεσεως &c.—ουχ ηδονης ενεκα η μιξις: which, as literally as intelligibility will admit, may be thus translated: "concerning the interprocreation of men, how, and of whom it shall be, in a perfect manner, and according to the laws of modesty and sanctity, conjointly, this is what I think right. First to lay it down that we do not commix for the sake of pleasure, but of the procreation of children. For the powers, the organs and desires for coition have not been given by God to man for the sake of pleasure, but for the procreation of the race. For as it were incongruous, for a mortal born to partake of divine life, the immortality of the race being taken away, God fulfilled the purpose by making the generations uninterrupted and continuous. This, therefore, we are especially to lay down as a principle, that coition is not for the sake of pleasure." But nature, not trusting to this moral and abstract motive, seems to have provided more securely for the perpetuation of the species, by making it the effect of the *oestrum* implanted in the constitution of both sexes. And not only has the commerce of love been indulged on this unhallowed impulse, but made subservient also to wealth and ambition by marriage, without regard to the beauty, the healthiness, the understanding, or virtue of the subject from which we are to breed. The selecting the best male for a Harem of well chosen females also, which Theognis seems to recommend

from the example of our sheep and asses, would doubtless improve the human, as it does the brute animal, and produce a race of veritable *αριστοι*. For experience proves, that the moral and physical qualities of man, whether good or evil, are transmissible in a certain degree from father to son. But I suspect that the equal rights of men will rise up against this privileged Solomon and his Harem, and oblige us to continue acquiescence under the "*Αμαυρωσις γενεος αστων*" which Theognis complains of, and to content ourselves with the accidental aristoi produced by the fortuitous concourse of breeders. For I agree with you that there is a natural aristocracy among men. The grounds of this are virtue and talents. Formerly, bodily powers gave place among the aristoi. But since the invention of gunpowder has armed the weak as well as the strong with missile death, bodily strength, like beauty, good humor, politeness and other accomplishments, has become but an auxiliary ground for distinction. There is also an artificial aristocracy, founded on wealth and birth, without either virtue or talents; for with these it would belong to the first class. The natural aristocracy I consider as the most precious gift of nature, for the instruction, the trusts, and government of society. And indeed, it would have been inconsistent in creation to have formed man for the social state, and not to have provided virtue and wisdom enough to manage the concerns of the society. May we not even say, that that form of government is the best, which provides the most effectually for a pure selection of these natural aristoi into the offices of government? The artificial aristocracy is a mischievous ingredient in government, and provision should be made to prevent its ascendency. On the question, what is the best provision, you and I differ; but we differ as rational friends, using the free exercise of our own reason, and mutually indulging its errors. You think it best to put the pseudo-aristoi into a separate chamber of legislation, where they may be hindered from doing mischief by their co-ordinate branches, and where, also, they may be a protection to wealth against the Agrarian and plundering enterprises of the majority of the people. I think that to give them power in order to prevent them from doing mischief, is arming them for it, and increasing instead of remedying the evil. For if the co-ordinate branches

can arrest their action, so may they that of the co-ordinates. Mischief may be done negatively as well as positively. Of this, a cabal in the Senate of the United States has furnished many proofs. Nor do I believe them necessary to protect the wealthy; because enough of these will find their way into every branch of the legislation, to protect themselves. From fifteen to twenty legislatures of our own, in action for thirty years past, have proved that no fears of an equalization of property are to be apprehended from them. I think the best remedy is exactly that provided by all our constitutions, to leave to the citizens the free election and separation of the aristoi from the pseudo-aristoi, of the wheat from the chaff. In general they will elect the really good and wise. In some instances, wealth may corrupt, and birth blind them; but not in sufficient degree to endanger the society.

It is probable that our difference of opinion may, in some measure, be produced by a difference of character in those among whom we live. From what I have seen of Massachusetts and Connecticut myself, and still more from what I have heard, and the character given of the former by yourself, who know them so much better, there seems to be in those two States a traditionary reverence for certain families, which has rendered the offices of the government nearly hereditary in those families. I presume that from an early period of your history, members of those families happening to possess virtue and talents, have honestly exercised them for the good of the people, and by their services have endeared their names to them. In coupling Connecticut with you, I mean it politically only, not morally. For having made the Bible the common law of their land, they seemed to have modeled their morality on the story of Jacob and Laban. But although this hereditary succession to office with you, may, in some degree, be founded in real family merit, yet in a much higher degree, it has proceeded from your strict alliance of Church and State. These families are canonised in the eyes of the people on common principles, "you tickle me, and I will tickle you." In Virginia we have nothing of this. Our clergy, before the revolution, having been secured against rivalship by fixed salaries, did not give themselves the trouble of acquiring influence over the people. Of wealth, there

were great accumulations in particular families, handed down from generation to generation, under the English law of entails. But the only object of ambition for the wealthy was a seat in the King's Council. All their court then was paid to the crown and its creatures; and they Philipised in all collisions between the King and the people. Hence they were unpopular; and that unpopularity continues attached to their names. A Randolph, a Carter, or a Burwell must have great personal superiority over a common competitor to be elected by the people even at this day. At the first session of our legislature after the Declaration of Independence, we passed a law abolishing entails. And this was followed by one abolishing the privilege of primogeniture, and dividing the lands of intestates equally among all their children, or other representatives. These laws, drawn by myself, laid the ax to the foot of pseudo-aristocracy. And had another which I prepared been adopted by the legislature, our work would have been complete. It was a bill for the more general diffusion of learning. This proposed to divide every county into wards of five or six miles square, like your townships; to establish in each ward a free school for reading, writing and common arithmetic; to provide for the annual selection of the best subjects from these schools, who might receive, at the public expense, a higher degree of education at a district school; and from these district schools to select a certain number of the most promising subjects, to be completed at an University, where all the useful sciences should be taught. Worth and genius would thus have been sought out from every condition of life, and completely prepared by education for defeating the competition of wealth and birth for public trusts. My proposition had, for a further object, to impart to these wards those portions of self-government for which they are best qualified, by confiding to them the care of their poor, their roads, police, elections, the nomination of jurors, administration of justice in small cases, elementary exercises of militia; in short, to have made them little republics, with a warden at the head of each, for all those concerns which, being under their eye, they would better manage than the larger republics of the county or State. A general call of ward meetings by their wardens on the same day through the

State, would at any time produce the genuine sense of the people on any required point, and would enable the State to act in mass, as your people have so often done, and with so much effect by their town meetings. The law for religious freedom, which made a part of this system, having put down the aristocracy of the clergy, and restored to the citizen the freedom of the mind, and those of entails and descents nurturing an equality of condition among them, this on education would have raised the mass of the people to the high ground of moral respectability necessary to their own safety, and to orderly government; and would have completed the great object of qualifying them to select the veritable aristoi, for the trusts of government, to the exclusion of the pseudalists; and the same Theognis who has furnished the epigraphs of your two letters, assures us that "*Ουδεμιαν πω, Κυρν,' αγαθοι πολιν ωλεσαν ανδρες.*" Although this law has not yet been acted on but in a small and inefficient degree, it is still considered as before the legislature, with other bills of the revised code, not yet taken up, and I have great hope that some patriotic spirit will, at a favorable moment, call it up, and make it the key-stone of the arch of our government.

With respect to aristocracy, we should further consider, that before the establishment of the American States, nothing was known to history but the man of the old world, crowded within limits either small or overcharged, and steeped in the vices which that situation generates. A government adapted to such men would be one thing; but a very different one, that for the man of these States. Here every one may have land to labor for himself, if he chooses; or, preferring the exercise of any other industry, may exact for it such compensation as not only to afford a comfortable subsistence, but wherewith to provide for a cessation from labor in old age. Every one, by his property, or by his satisfactory situation, is interested in the support of law and order. And such men may safely and advantageously reserve to themselves a wholesome control over their public affairs, and a degree of freedom, which, in the hands of the *canaille* of the cities of Europe, would be instantly perverted to the demolition and destruction of everything public and private. The history of the last twenty-five years of France, and of the last

forty years in America, nay of its last two hundred years, proves the truth of both parts of this observation.

But even in Europe a change has sensibly taken place in the mind of man. Science had liberated the ideas of those who read and reflect, and the American example had kindled feelings of right in the people. An insurrection has consequently begun, of science, talents, and courage, against rank and birth, which have fallen into contempt. It has failed in its first effort, because the mobs of the cities, the instrument used for its accomplishment, debased by ignorance, poverty and vice, could not be restrained to rational action. But the world will recover from the panic of this first catastrophe. Science is progressive, and talents and enterprise on the alert. Resort may be had to the people of the country, a more governable power from their principles and subordination; and rank, and birth, and tinsel-aristocracy will finally shrink into insignificance, even there. This, however, we have no right to meddle with. It suffices for us, if the moral and physical condition of our own citizens qualifies them to select the able and good for the direction of their government, with a recurrence of elections at such short periods as will enable them to displace an unfaithful servant, before the mischief he meditates may be irremediable.

I have thus stated my opinion on a point on which we differ, not with a view to controversy, for we are both too old to change opinions which are the result of a long life of inquiry and reflection; but on the suggestions of a former letter of yours, that we ought not to die before we have explained ourselves to each other. We acted in perfect harmony, through a long and perilous contest for our liberty and independence. A constitution has been acquired, which, though neither of us thinks perfect, yet both consider as competent to render our fellow citizens the happiest and the securest on whom the sun has ever shone. If we do not think exactly alike as to its imperfections, it matters little to our country, which, after devoting to it long lives of disinterested labor, we have delivered over to our successors in life, who will be able to take care of it and of themselves.

Of the pamphlet on aristocracy which has been sent to you, or who may be its author, I have heard nothing but through your

letter. If the person you suspect, it may be known from the quaint, mystical, and hyperbolical ideas, involved in affected, new-fangled and pedantic terms which stamp his writings. Whatever it be, I hope your quiet is not to be affected at this day by the rudeness or intemperance of scribblers; but that you may continue in tranquillity to live and to rejoice in the prosperity of our country, until it shall be your own wish to take your seat among the aristoi who have gone before you. Ever and affectionately yours.

TO BARON VON HUMBOLDT. J.MSS.

December 6, 1813.

My Dear Friend and Baron,—I have to acknowledge your two letters of December 20 and 26, 1811, by Mr. Correa, and am first to thank you for making me acquainted with that most excellent character. He was so kind as to visit me at Monticello, and I found him one of the most learned and amiable of men. It was a subject of deep regret to separate from so much worth in the moment of its becoming known to us.

The livraison of your astronomical observations, and the 6th and 7th on the subject of New Spain, with the corresponding atlasses, are duly received, as had been the preceding cahiers. For these treasures of a learning so interesting to us, accept my sincere thanks. I think it most fortunate that your travels in those countries were so timed as to make them known to the world in the moment they were about to become actors on its stage. That they will throw off their European dependence I have no doubt; but in what kind of government their revolution will end I am not so certain. History, I believe, furnishes no example of a priest-ridden people maintaining a free civil government. This marks the lowest grade of ignorance, of which their civil as well as religious leaders will always avail themselves for their own purposes. The vicinity of New Spain to the United States, and their consequent intercourse, may furnish schools for the higher, and example for the lower classes of their citizens. And Mexico, where we learn from you that men of science are not wanting, may revolutionize itself under better auspices than

the Southern provinces. These last, I fear, must end in military despotisms. The different casts of their inhabitants, their mutual hatreds and jealousies, their profound ignorance and bigotry, will be played off by cunning leaders, and each be made the instrument of enslaving others. But of all this you can best judge, for in truth we have little knowledge of them to be depended on, but through you. But in whatever governments they end they will be *American* governments, no longer to be involved in the never-ceasing broils of Europe. The European nations constitute a separate division of the globe; their localities make them part of a distinct system; they have a set of interests of their own in which it is our business never to engage ourselves. America has a hemisphere to itself. It must have its separate system of interests, which must not be subordinated to those of Europe. The insulated state in which nature has placed the American continent, should so far avail it that no spark of war kindled in the other quarters of the globe should be wafted across the wide oceans which separate us from them. And it will be so. In fifty years more the United States alone will contain fifty millions of inhabitants, and fifty years are soon gone over. The peace of 1763 is within that period. I was then twenty years old, and of course remember well all the transactions of the war preceding it. And you will live to see the epoch now equally ahead of us; and the numbers which will then be spread over the other parts of the American hemisphere, catching long before that the principles of our portion of it, and concurring with us in the maintenance of the same system. You see how readily we run into ages beyond the grave; and even those of us to whom that grave is already opening its quiet bosom. I am anticipating events of which you will be the bearer to me in the Elsyian fields fifty years hence.

You know, my friend, the benevolent plan we were pursuing here for the happiness of the aboriginal inhabitants in our vicinities. We spared nothing to keep them at peace with one another. To teach them agriculture and the rudiments of the most necessary arts, and to encourage industry by establishing among them separate property. In this way they would have been enabled to subsist and multiply on a moderate scale of landed possession. They would have mixed their blood with

ours, and been amalgamated and identified with us within no distant period of time. On the commencement of our present war, we pressed on them the observance of peace and neutrality, but the interested and unprincipled policy of England has defeated all our labors for the salvation of these unfortunate people. They have seduced the greater part of the tribes within our neighborhood, to take up the hatchet against us, and the cruel massacres they have committed on the women and children of our frontiers taken by surprise, will oblige us now to pursue them to extermination, or drive them to new seats beyond our reach. Already we have driven their patrons and seducers into Montreal, and the opening season will force them to their last refuge, the walls of Quebec. We have cut off all possibility of intercourse and of mutual aid, and may pursue at our leisure whatever plan we find necessary to secure ourselves against the future effects of their savage and ruthless warfare. The confirmed brutalization, if not the extermination of this race in our America, is therefore to form an additional chapter in the English history of the same colored man in Asia, and of the brethren of their own color in Ireland, and wherever else Anglo-mercantile cupidity can find a two-penny interest in deluging the earth with human blood. But let us turn from the loathsome contemplation of the degrading effects of commercial avarice.

That their Arrowsmith should have stolen your Map of Mexico, was in the piratical spirit of his country. But I should be sincerely sorry if our Pike has made an ungenerous use of your candid communications here; and the more so as he died in the arms of victory gained over the enemies of his country. Whatever he did was on a principle of enlarging knowledge, and not for filthy shillings and pence of which he made none from that work. If what he has borrowed has any effect it will be to excite an appeal in his readers from his defective information to the copious volumes of it with which you have enriched the world. I am sorry he omitted even to acknowledge the source of his information. It has been an oversight, and not at all in the spirit of his generous nature. Let me solicit your forgiveness then of a deceased hero, of an honest and zealous patriot, who lived and died for his country.

You will find it inconceivable that Lewis's journey to the Pacific should not yet have appeared ; nor is it in my power to tell you the reason. The measures taken by his surviving companion, Clarke, for the publication, have not answered our wishes in point of despatch. I think, however, from what I have heard, that the mere journal will be out within a few weeks in two volumes 8vo. These I will take care to send you with the tobacco seed you desired, if it be possible for them to escape the thousand ships of our enemies spread over the ocean. The botanical and zoological discoveries of Lewis will probably experience greater delay, and become known to the world through other channels before that volume will be ready. The Atlas, I believe, waits on the leisure of the engraver.

Although I do not know whether you are now at Paris or ranging the regions of Asia to acquire more knowledge for the use of men, I cannot deny myself the gratification of an endeavor to recall myself to your recollection, and of assuring you of my constant attachment, and of renewing to you the just tribute of my affectionate esteem and high respect and consideration.

TO THOMAS LAW.

J. MSS.

MONTICELLO, Nov. 6, 13.

DEAR SIR,—Your favor of Oct. 1. came duly to hand, and in it the Memorial which I now return. I like well your idea of issuing treasury notes bearing interest, because I am persuaded they would soon be withdrawn from circulation and locked up in vaults & private hoards. It would put it in the power of every man to lend his 100. or 1000 d. tho' not able to go forward on the great scale, and be the most advantageous way of obtaining a loan. The other idea of creating a National bank, I do not concur in, because it seems now decided that Congress has not that power, (altho' I sincerely wish they had it exclusively) and because I think there is already a vast redundancy, rather than a scarcity of paper medium. The rapid rise in the nominal price of land and labor (while war & blockade should produce a fall) proves the progressive state of the depreciation of our medium. Ever with great esteem and respect.

TO LA FAYETTE. J. MSS.

Nov. 30, 13.

MY DEAR FRIEND,—The last letters I received from you are of Apr. 22. May 20 July 4. of the preceding year. They gave me information of your health, always welcome to the feelings of antient and constant friendship. I hope this continues & will continue until you tire of that and life together. The Shepard dogs mentioned in yours of May 20. arrived safely, have been carefully multiplied, and are spreading in this and the neighboring states where the increase of our sheep is greatly attended to. Of these we have already enough to clothe all our inhabitants, and the Merino race is wonderfully extended, & improved in size. Our manufactures of fine cloths are equal to the best English, and those of cotton by their abundance and superior quality will compleatly exclude the English from the market. Our progress in manufactures is far beyond the calculations of the most sanguine. Every private house is getting spinning machines. I have four, in operation in my own family for our own use and carding machines are growing up in every neighborhood, insomuch that were peace restored tomorrow we should not return to the importation from England of either coarse or midling fabrics of any material, nor even of the finer woolen cloths. Putting honor & right out of the question therefore, this revolution in our domextic economy was well worth a war.

You have heard how inauspiciously our war began by land. The treachery of Hull, who furnished with an army which might have taken Upper Canada with little resistance, sold it to an enemy of one fourth his strength was the cause of all our subsequent misfortunes. A second army was by surprise submitted to massacre by the Indians, under the eye and countenance of British officers, to whom they had surrendered on capitulation. Other losses followed these from cowardice, from foolhardiness and from sheer imbecillity in the commanders. In every instance the men, militia as well as regulars displayed an intrepidity, which shewed it only wanted capable direction. These misfortunes however, instead of disheartening, only sunk deeper into our hearts the necessity of exertion, as in old times was the effect of the retreat across the Delaware, this has happily been crowned

with success. Everything above the Eastern end of L. Ontario is already in our possession and I might venture to say to the walls of Quebec because on the 10th inst. Genl. Wilkinson was entering the Lake St. Francis on his passage down to Montreal where he would land within 3. or 4. days, and not meet a resistance which gives us any apprehensions. Between that place and Quebec there is neither post nor armed man. Kingston was wisely left to fall of itself, the St. Laurence to the walls of Quebec being ours whenever the season will open it to us. This last place will never be worth the blood it would cost. Cut off from subsistence by the loss of the upper country, it must be evacuated by it's inhabitants. Our quarters for this winter will probably be in Montreal.

Of the glories of our little navy you will of course have heard. Those on the ocean are no otherwise of value than as they have proved the British can be beaten there by an equal force. They correct the idea of their invincibility, and by this moral effect destroy one half their physical force on that element. But Perry's victory on L. Erie had the most important effects, and is truly the parent of all the subsequent successes. Nor do I know that the naval history of the world furnishes an example of a more splendid action.

I join you sincerely, my friend in wishes for the emancipation of South America. That they will be liberated from foreign subjection I have little doubt. But the result of my enquiries does not authorize me to hope they are capable of maintaining a free government. Their people are immersed in the darkest ignorance, and brutalised by bigotry & superstition. Their priests make of them what they please, and tho' they may have some capable leaders, yet nothing but intelligence in the people themselves can keep these faithful to their charge. Their efforts I fear therefore will end in establishing military despotisms in the several provinces. Among these there can be no confederacy. A republic of kings is impossible. But their future wars and quarrels among themselves will oblige them to bring the people into action, & into the exertion of their understandings. Light will at length beam in on their minds and the standing example we shall hold up, serving as an excitement as well as a model for their direction

may in the long run qualify them for self government. This is the most I am able to hope for them. For I lay it down as one of the impossibilities of nature that ignorance should maintain itself free against cunning, where any government has been once admitted.

I thank you for making Mr. Correa known to me. I found him deserving every thing which his and my friends had said of him, and only lamented that our possession of him was to be so short lived. I will certainly send you another copy of the book you desire if it can possibly escape the perils of the sea. I say nothing about your affairs here because being in the best hands I can say nothing important. I am happy you have been able to turn the just retribution of our country to some account in easing your mind from some of it's concerns. On our part it was a just attention to sacrifices you had made to make us what we are. I only lament it was not what it should have been. I write to Mde de Tesse, M. de Tracy &c. and conclude with the assurance of my affectionate and unalterable friendship and respect.

P.S. Monticello Dec. 14. I have kept my letter open that I might state with certainty the issue of the expedition against Montreal. Our just expectations have been disappointed by another failure of a general commanding a large portion of the army ashore, and refusing to meet the main body according to orders at the entrance of L. St. Francis. The expedition was of necessity abandoned at that point at which it was known to have arrived at the date of my letter: and the commencement of severe weather forced the army into winter quarters near that place. In the President's message at the meeting of Congress you will see a succinct & correct history of the transactions of the year.

TO MADAM DE TESSE. J. MSS.

DECEMBER 8, 1813.

While at war, my dear Madam and friend, with the leviathan of the ocean, there is little hope of a letter escaping his thousand ships; yet I cannot

permit myself longer to withhold the acknowledgment of your letter of June 28 of the last year, with which came the memoirs of the Margrave of Bareuth. I am much indebted to you for this singular morsel of history which has given us a certain view of kings, queens and princes, disrobed of their formalities. It is a peep into the state of the Egyptian god Apis. It would not be easy to find grosser manners, coarser vices, or more meanness in the poorest huts of our peasantry. The princess shows herself the legitimate sister of Frederic, cynical, selfish, and without a heart. Notwithstanding your wars with England, I presume you get the publications of that country. The memoirs of Mrs. Clarke and of her *darling* prince, and the book, emphatically so called, because it is the Biblia Sacra Deorum et Dearum sub-cœlestium, the Prince Regent, his Princess and the minor deities of his sphere, form a worthy sequel to the memoirs of Bareuth; instead of the vulgarity and penury of the court of Berlin, giving us the vulgarity and profusion of that of London, and the gross stupidity and profligacy of the latter, in lieu of the genius and misanthropism of the former. The whole might be published as a supplement to M. de Buffon, under the title of the "Natural History of Kings and Princes," or as a separate work and called "Medicine for Monarchists." The "Intercepted Letters," a later English publication of great wit and humor, has put them to their proper use by holding them up as butts for the ridicule and contempt of mankind. Yet by such

worthless beings is a great nation to be governed and even made to dify their old king because he is only a fool and a maniac, and to forgive and forget his having lost to them a great and flourishing empire, added nine hundred millions sterling to their debt, for which the fee simple of the whole island would not sell, if offered farm by farm at public auction, and increased their annual taxes from eight to seventy millions sterling, more than the whole rent-roll of the island. What must be the dreary prospect from the son when such a father is deplored as a national loss. But let us drop these odious beings and pass to those of an higher order, the plants of the field. I am afraid I have given you a great deal more trouble than I intended by my inquiries for the Maronnier or Castanea Saliva, of which I wished to possess my own country, without knowing how rare its culture was even in yours. The two plants which your researches have placed in your own garden, it will be all but impossible to remove hither. The war renders their safe passage across the Atlantic extremely precarious, and, if landed anywhere but in the Chesapeake, the risk of the additional voyage along the coast to Virginia, is still greater. Under these circumstances it is better they should retain their present station, and compensate to you the trouble they have cost you.

I learn with great pleasure the success of your new gardens at Auenay. No occupation can be more delightful or useful. They will have the merit of inducing you to forget those of Chaville. With the

botanical riches which you mention to have been derived to England from New Holland, we are as yet unacquainted. Lewis's journey across our continent to the Pacific has added a number of new plants to our former stock. Some of them are curious, some ornamental, some useful, and some may by culture be made acceptable to our tables. I have growing, which I destine for you, a very handsome little shrub of the size of a currant bush. Its beauty consists in a great produce of berries of the size of currants, and literally as white as snow, which remain on the bush through the winter, after its leaves have fallen, and make it an object as singular as it is beautiful. We call it the snow-berry bush, no botanical name being yet given to it, but I do not know why we might not call it Chionicoccos, or Kallicoccos. All Lewis's plants are growing in the garden of Mr. McMahon, a gardener of Philadelphia, to whom I consigned them, and from whom I shall have great pleasure, when peace is restored, in ordering for you any of these or of our other indigenous plants. The port of Philadelphia has great intercourse with Bordeaux and Nantes, and some little perhaps with Havre. I was mortified not long since by receiving a letter from a merchant in Bordeaux, apologizing for having suffered a box of plants addressed by me to you, to get accidentally covered in his warehouse by other objects, and to remain three years undiscovered, when every thing in it was found to be rotten. I have learned occasionally that others rotted in the warehouses of the English pirates. We

are now settling that account with them. We have taken their Upper Canada and shall add the Lower to it when the season will admit; and hope to remove them fully and finally from our continent. And what they will feel more, for they value their colonies only for the bales of cloth they take from them, we have established manufactures, not only sufficient to supersede our demand from them, but to rivalize them in foreign markets. But for the course of our war I will refer you to M. de La Fayette, to whom I state it more particularly.

Our friend Mr. Short is well. He makes Philadelphia his winter quarters, and New York or the country, those of the summer. In his fortune he is perfectly independent and at ease, and does not trouble himself with the party politics of our country. Will you permit me to place here for M. de Tessé the testimony of my high esteem and respect, and accept for yourself an assurance of the warm recollections I retain of your many civilities and courtesies to me, and the homage of my constant and affectionate attachment and respect.

TO PHILIP MAZZEI. J. MSS.

MONTICELLO, Dec. 29, 1813.

The last letter I have received from you, my dear & antient friend, was of the 15th of Feb. 1811. That letter I answered two days after it's receipt, to wit, July 9. 1811. Since which I have not heard from you. Such an interval excites anxieties to learn that you continue in health. My health remains good, a diminution of strength being the principal indication of advancing years.

Since our last letters we have been forced by England into the

war which has been so long raging. Her Orders of council, which excluded us from the ocean, but on license and tribute to her, and took from us near 1000. vessels in a time of what she called peace, her impressment of between 6. and 7000 of our seamen, the proclamation of her Prince regent that they never would repeal the Orders of council as to us, until France should have repealed her illegal decrees as to all the world, and the declaration of her minister to ours that no admissible precaution against the impressment of *our* seamen by her officers, other than their discretion could be devised, obliged us at length to declare war. About the time of our declaration, she was forced by the distresses of her manufactures and commerce, to issue a Palinodial Proclamation repealing her orders. This was unknown to us at the time of our Declaration. But the war, being commenced, is now continued for the 2d cause the impressment of our seamen. Our 1st campaign of 1812 was unsuccessful through the treachery of the General who came first into contact with the enemy, and betrayed to them his army, fort and the country around it. This was the parent of all the subsequent misfortunes of the campaign, altho' immediately produced by the cowardice, carelessness or incompetence of other commanders; all new and untried men, all our officers of high grade in the revolutionary war, during 30. years of peace, having either died or become superannuated. Scott died lately, and Starke the only surviving one I recollect, is past service. On the part of the enemy, all their successes after the first which their money achieved, were obtained by the immense body of savages they engaged, and who under British direction, carried on the war in their usual way, massacring prisoners in cold blood & after capitulation, & tomahawking & scalping women and children on our frontiers.

In our 2d campaign, altho' we have not done all to which our force was adequate, we have done much. We have taken possession of all Upper Canada, except the single post of Kingston, at its lower extremity. On the Ocean where our force consists only of a few frigates & smaller vessels, in 6. or 7. engagements of vessel to vessel of equal force, or very nearly so, we have captured their vessel in every instance but one. Three of their frigates have been taken by us, & one only of ours by them. In a re-

markable action on Lake Erie between about 8. or 10. vessels of a side, large and small from ships down to gunboats, the greater number of guns and men being on their side, we took their whole squadron, not a vessel or a man escaping. On this state of things our 3d campaign will open. The President's message at the meeting of the present session of Congress will give you a more detailed account of our proceedings. Knowing your affection for this country, & your anxieties for it's welfare, I have thought this summary view of our war and it's events would be acceptable. In the meantime the war has turned most of our commercial capital to manufactures. The rapidity of their growth is unexampled. We have already probably a million of spindles engaged in spinning cotton & wool, which will clothe sufficiently our 8. millions of people, & they are multiplying daily. We are getting the spinning machines into all our farm houses. I have near 100. spindles in operation for clothing our own family. The Merino sheep are spreading over the continent and thrive well. We make as good broad cloth now in our large manufacturies as the best English; and come peace when it may we shall return to them only for the finest & most exquisite manufactures. Indeed I consider the most fatal consequence of this war to England to be the transfer it has occasioned of her art in manufacturing into other countries. From this and her impending bankruptcy, future history will have to trace her decline and fall as a great power. Exertions beyond her strength, and expences beyond her means, as in the case of private individuals, have given her a short-lived blaze, which must sink her the sooner to her original level.

Now as to the remains of your affairs here. I have the happiness to inform you that I have at length been able to make sale of your house, and lot in Richmond for 6342 Dollars 21 cents, clear of expenses of sale, bearing an interest of 6. per cent from the 14th of July last. The close blockade of our ports by the enemy, a recent embargo by ourselves, and the consequent suspension of our commerce and intercourse with all nations would have rendered the remittance of the price impracticable, had I supposed it your wish. But the higher interest it bears with us, and a belief that your views are not entirely withdrawn from this country would have alone prevented my displacing it until your

special orders. In the meantime the same obstructions to our commerce render it a convenience to retain it for a while in my own hands. It shall be placed on landed security so as to be entirely safe, and if you desire it, the interest shall be remitted to you annually and regularly, being of 380 dollars a year. The principal sum being so considerable, a proportionable time, must probably be allowed, say of one and two years, when it's remittance is called for. Since the execution of the deed to the purchaser, in which Edmund Randolph joined me, he has died, having long been in a state which rendered it rather desirable for himself and his friends. Our friend T. Lomax had paid this debt to nature a year or two before. I recollect no other death interesting to you which has happened since the date of my last letter. Derieux and his wife are living. They move often from place to place to seek relief from their distresses. I believe they have 10. or 12. children. He is now bar-keeper to a tavern in Richmond, and she keeping a little school in Petersburg. He solicited me to mention him to you and that any crumbs from your property here would help him to subsist.

Let me hear from you as soon as you can, being anxious to know that you are well; and tendering to your family any services I can ever render them, with the assurances of my attachment and respect, accept for yourself those of my constant and affectionate friendship.

TO THOMAS LIEPER.

J. MSS.

MONTICELLO, January 1, 1814.

DEAR SIR,—I had hoped, when I retired from the business of the world, that I should have been permitted to pass the evening of life in tranquillity, undisturbed by the peltings and passions of which the public papers are the vehicles. I see, however, that I have been dragged into the newspapers by the infidelity of one with whom I was formerly intimate, but who has abandoned the American principles out of which that intimacy grew, and become the bigoted partisan of England, and malcontent of his own government. In a letter which he wrote to me, he

earnestly besought me to avail our country of the good understanding which existed between the executive and myself, by recommending an offer of such terms to our enemy as might produce a peace, towards which he was confident that enemy was disposed. In my answer, I stated the aggressions, the insults and injuries, which England had been heaping on us for years, our long forbearance in the hope she might be led by time and reflection to a sounder view of her own interests, and of their connection with justice to us, the repeated propositions for accommodation made by us and rejected by her, and at length her Prince Regent's solemn proclamation to the world that he would never repeal the orders in council *as to us*, until France should have revoked her illegal decrees *as to all the world*, and her minister's declaration to ours, that no admissable precaution against the impressment of our seamen, could be proposed: that the unavoidable declaration of war which followed these was accompanied by advances for peace, on terms which no American could dispense with, made through various channels, and unnoticed and unanswered through any; but that if he could suggest any other conditions which we ought to accept, and which had not been repeatedly offered and rejected, I was ready to be the channel of their conveyance to the government; and, to show him that neither that attachment to Bonaparte nor French influence, which they allege eternally without believing it themselves, affected my mind, I threw in the two little sentences of the printed extract enclosed in your friendly favor of the 9th ultimo, and exactly these two little sentences, from a letter of two or three pages, he has thought proper to publish, naked, alone, and with my name, although other parts of the letter would have shown that I wished such limits only to the successes of Bonaparte, as should not prevent his completely closing Europe against British manufactures and commerce; and thereby reducing her to just terms of peace with us.

Thus am I situated. I receive letters from all quarters, some from known friends, some from those who write like friends, on various subjects. What am I to do? Am I to button myself up in Jesuitical reserve, rudely declining any answer, or answering in terms so unmeaning as only to prove my distrust? Must I withdraw myself from all interchange of sentiment with the

world? I cannot do this. It is at war with my habits and temper. I cannot act as if all men were unfaithful because some are so; nor believe that all will betray me, because some do. I had rather be the victim of occasional infidelities, than relinquish my general confidence in the honesty of man.

So far as to the breach of confidence which has brought me into the newspapers, with a view to embroil me with my friends, by a supposed separation in opinion and principle from them. But it is impossible that there can be any difference of opinion among us on the two propositions contained in these two little sentences, when explained, as they were explained in the context from which they were insulated. That Bonaparte is an unprincipled tyrant, who is deluging the continent of Europe with blood, there is not a human being, not even the wife of his bosom, who does not see: nor can there, I think, be a doubt as to the line we ought to wish drawn between his successes and those of Alexander. Surely none of us wish to see Bonaparte conquer Russia, and lay thus at his feet the whole continent of Europe. This done, England would be but a breakfast; and, although I am free from the visionary fears which the votaries of England have effected to entertain, because I believe he cannot effect the conquest of Europe; yet put all Europe into his hands, and he might spare such a force to be sent in British ships, as I would as leave not have to encounter, when I see how much trouble a handful of British soldiers in Canada has given us. No. It cannot be to our interest that all Europe should be reduced to a single monarchy. The true line of interest for us, is, that Bonaparte should be able to effect the complete exclusion of England from the whole continent of Europe, in order, as the same letter said, "by this peaceable engine of constraint, to make her renounce her views of dominion over the ocean, of permitting no other nation to navigate it but with her license, and on tribute to her, and her aggressions on the persons of our citizens who may choose to exercise their right of passing over that element." And this would be effected by Bonaparte's succeeding so far as to close the Baltic against her. This success I wished him the last year, this I wish him this year; but were he again advanced to Moscow, I should again wish him such disasters as would prevent his

reaching Petersburg. And were the consequences even to be the longer continuance of our war, I would rather meet them than see the whole force of Europe wielded by a single hand.

I have gone into this explanation, my friend, because I know you will not carry my letter to the newspapers, and because I am willing to trust to your discretion the explaining me to our honest fellow laborers, and the bringing them to pause and reflect, if any of them have not sufficiently reflected on the extent of the success we ought to wish to Bonaparte, with a view to our own interests only; and even were we not men, to whom nothing human should be indifferent. But is our particular interest to make us insensible to all sentiments of morality? Is it then become criminal, the moral wish that the torrents of blood this man is shedding in Europe, the sufferings of so many human beings, good as ourselves, on whose necks he is trampling, the burnings of ancient cities, devastations of great countries, the destruction of law and order, and demoralization of the world, should be arrested, even if it should place our peace a little further distant? No. You and I cannot differ in wishing that Russia, and Sweden, and Denmark, and Germany, and Spain, and Portugal, and Italy, and even England, may retain their independence. And if we differ in our opinions about Towers and his four beasts and ten kingdoms, we differ as friends, indulging mutual errors, and doing justice to mutual sincerity and honesty. In this spirit of sincere confidence and affection, I pray God to bless you here and hereafter.

TO DOCTOR WALTER JONES. J.MSS.

MONTICELLO, January 2, 1814.

DEAR SIR,—Your favor of November the 25th reached this place December the 21st, having been near a month on the way. How this could happen I know not, as we have two mails a week both from Fredericksburg and Richmond. It found me just returned from a long journey and absence, during which so much business had accumulated, commanding the first attentions, that another week has been added to the delay.

I deplore, with you, the putrid state into which our newspapers

have passed, and the malignity, the vulgarity, and mendacious spirit of those who write for them; and I enclose you a recent sample, the production of a New England judge, as a proof of the abyss of degradation into which we are fallen. These ordures are rapidly depraving the public taste, and lessening its relish for sound food. As vehicles of information, and a curb on our functionaries, they have rendered themselves useless, by forfeiting all title to belief. That this has, in a great degree, been produced by the violence and malignity of party spirit, I agree with you; and I have read with great pleasure the paper you enclosed me on that subject, which I now return. It is at the same time a perfect model of the style of discussion which candor and decency should observe, of the tone which renders difference of opinion even amiable, and a succinct, correct, and dispassionate history of the origin and progress of party among us. It might be incorporated as it stands, and without changing a word, into the history of the present epoch, and would give to posterity a fairer view of the times than they will probably derive from other sources. In reading it with great satisfaction, there was but a single passage where I wished a little more development of a very sound and catholic idea; a single intercalation to rest it solidly on true bottom. It is near the end of the first page, where you make a statement of genuine republican maxims; saying, "that the people ought to possess as much political power as can possibly exist with the order and security of society." Instead of this, I would say, "that the people, being the only safe depository of power, should exercise in person every function which their qualifications enable them to exercise, consistently with the order and security of society; that we now find them equal to the election of those who shall be invested with their executive and legislative powers, and to act themselves in the judiciary, as judges in questions of fact; that the range of their powers ought to be enlarged," &c. This gives both the reason and exemplification of the maxim you express, "that they ought to possess as much political power," &c. I see nothing to correct either in your facts or principles.

You say that in taking General Washington on your shoulders, to bear him harmless through the federal coalition, you encounter

a perilous topic. I do not think so. You have given the genuine history of the course of his mind through the trying scenes in which it was engaged, and of the seductions by which it was deceived, but not depraved. I think I knew General Washington intimately and thoroughly; and were I called on to delineate his character, it should be in terms like these.

His mind was great and powerful, without being of the very first order; his penetration strong, though not so acute as that of a Newton, Bacon, or Locke; and as far as he saw, no judgment was ever sounder. It was slow in operation, being little aided by invention or imagination, but sure in conclusion. Hence the common remark of his officers, of the advantage he derived from councils of war, where hearing all suggestions, he selected whatever was best; and certainly no General ever planned his battles more judiciously. But if deranged during the course of the action, if any member of his plan was dislocated by sudden circumstances, he was slow in re-adjustment. The consequence was, that he often failed in the field, and rarely against an enemy in station, as at Boston and York. He was incapable of fear, meeting personal dangers with the calmest unconcern. Perhaps the strongest feature in his character was prudence, never acting until every circumstance, every consideration, was maturely weighed; refraining if he saw a doubt, but, when once decided, going through with his purpose, whatever obstacles opposed. His integrity was most pure, his justice the most inflexible I have ever known, no motives of interest or consanguinity, of friendship or hatred, being able to bias his decision. He was, indeed, in every sense of the words, a wise, a good, and a great man. His temper was naturally high toned; but reflection and resolution had obtained a firm and habitual ascendency over it. If ever, however, it broke its bonds, he was most tremendous in his wrath. In his expenses he was honorable, but exact; liberal in contributions to whatever promised utility; but frowning and unyielding on all visionary projects and all unworthy calls on his charity. His heart was not warm in its affections; but he exactly calculated every man's value, and gave him a solid esteem proportioned to it. His person, you know, was fine, his stature exactly what one would wish, his deportment easy, erect and noble; the best horseman of his

age, and the most graceful figure that could be seen on horseback. Although in the circle of his friends, where he might be unreserved with safety, he took a free share in conversation, his colloquial talents were not above mediocrity, possessing neither copiousness of ideas, nor fluency of words. In public, when called on for a sudden opinion, he was unready, short and embarrassed. Yet he wrote readily, rather diffusely, in an easy and correct style. This he had acquired by conversation with the world, for his education was merely reading, writing and common arithmetic, to which he added surveying at a later day. His time was employed in action chiefly, reading little, and that only in agriculture and English history. His correspondence became necessarily extensive, and, with journalizing his agricultural proceedings, occupied most of his leisure hours within doors. On the whole, his character was, in its mass, perfect, in nothing bad, in few points indifferent; and it may truly be said, that never did nature and fortune combine more perfectly to make a man great, and to place him in the same constellation with whatever worthies have merited from man an everlasting remembrance. For his was the singular destiny and merit, of leading the armies of his country successfully through an arduous war, for the establishment of its independence; of conducting its councils through the birth of a government, new in its forms and principles, until it had settled down into a quiet and orderly train; and of scrupulously obeying the laws through the whole of his career, civil and military, of which the history of the world furnishes no other example.

How, then, can it be perilous for you to take such a man on your shoulders? I am satisfied the great body of republicans think of him as I do. We were, indeed, dissatisfied with him on his ratification of the British treaty. But this was short lived. We knew his honesty, the wiles with which he was encompassed, and that age had already begun to relax the firmness of his purposes; and I am convinced he is more deeply seated in the love and gratitude of the republicans, than in the Pharisaical homage of the federal monarchists. For he was no monarchist from preference of his judgment. The soundness of that gave him correct views of the rights of man, and his severe justice devoted him to them. He has often declared to me that he considered

our new constitution as an experiment on the practicability of republican government, and with what dose of liberty man could be trusted for his own good; that he was determined the experiment should have a fair trial, and would lose the last drop of his blood in support of it. And these declarations he repeated to me the oftener and more pointedly, because he knew my suspicions of Colonel Hamilton's views, and probably had heard from him the same declarations which I had, to wit, "that the British constitution, with its unequal representation, corruption and other existing abuses, was the most perfect government which had ever been established on earth, and that a reformation of those abuses would make it an impracticable government." I do believe that General Washington had not a firm confidence in the durability of our government. He was naturally distrustful of men, and inclined to gloomy apprehensions; and I was ever persuaded that a belief that we must at length end in something like a British constitution, had some weight in his adoption of the ceremonies of levees, birth-days, pompous meetings with Congress, and other forms of the same character, calculated to prepare us gradually for a change which he believed possible, and to let it come on with as little shock as might be to the public mind.

These are my opinions of General Washington, which I would vouch at the judgment seat of God, having been formed on an acquaintance of thirty years. I served with him in the Virginia legislature from 1769 to the Revolutionary war, and again, a short time in Congress, until he left us to take command of the army. During the war and after it we corresponded occasionally, and in the four years of my continuance in the office of Secretary of State, our intercourse was daily, confidential and cordial. After I retired from that office, great and malignant pains were taken by our federal monarchists, and not entirely without effect, to make him view me as a theorist, holding French principles of government, which would lead infallibly to licentiousness and anarchy. And to this he listened the more easily, from my known disapprobation of the British treaty. I never saw him afterwards, or these malignant insinuations should have been dissipated before his just judgment, as mists before the sun. I

felt on his death, with my countrymen, that "verily a great man hath fallen this day in Israel."

More time and recollection would enable me to add many other traits of his character; but why add them to you who knew him well? And I cannot justify to myself a longer detention of your paper.

Vale, proprieque tuum, me esse tibi persuadeas.

TO JOSEPH C. CABELL. J.MSS.

MONTICELLO, January 31, 1814.

DEAR SIR,—Your favor of the 23d is received. Say had come to hand safely. But I regretted having asked the return of him; for I did not find in him one new idea upon the subject I had been contemplating; nothing more than a succinct, judicious digest of the tedious pages of Smith.

You ask my opinion on the question, whether the States can add any qualifications to those which the constitution has prescribed for their members of Congress? It is a question I had never before reflected on; yet had taken up an off-hand opinion, agreeing with your first, that they could not; that to add new qualifications to those of the constitution, would be as much an alteration as to detract from them. And so I think the House of Representatives of Congress decided in some case; I believe that of a member from Baltimore. But your letter having induced me to look into the constitution, and to consider the question a little, I am again in your predicament, of doubting the correctness of my first opinion. Had the constitution been silent, nobody can doubt but that the right to prescribe all the qualifications and disqualifications of those they would send to represent them, would have belonged to the State. So also the constitution might have prescribed the whole, and excluded all others. It seems to have preferred the middle way. It has exercised the power in part, by declaring some disqualifications, to wit, those of not being twenty-five years of age, of not having been a citizen seven years, and of not being an inhabitant of the State at the time of election. But it does not declare, itself, that the member shall not be a lunatic, a pauper, a convict of treason, of murder, of felony, or other infamous crime,

or a non-resident of his district; nor does it prohibit to the State the power of declaring these, or any other disqualifications which its particular circumstances may call for; and these may be different in different States. Of course, then, by the tenth amendment, the power is reserved to the State. If, wherever the constitution assumes a single power out of many which belong to the same subject, we should consider it as assuming the whole, it would vest the General Government with a mass of powers never contemplated. On the contrary, the assumption of particular powers seems an exclusion of all not assumed. This reasoning appears to me to be sound; but, on so recent a change of view, caution requires us not to be too confident, and that we admit this to be one of the doubtful questions on which honest men may differ with the purest motives; and the more readily, as we find we have differed from ourselves on it.

I have always thought where the line of demarcation between the powers of the General and the State governments was doubtfully or indistinctly drawn, it would be prudent and praiseworthy in both parties, never to approach it but under the most urgent necessity. Is the necessity now urgent, to declare that no non-resident of his district shall be eligible as a member of Congress? It seems to me that, in practice, the partialities of the people are a sufficient security against such an election; and that if, in any instance, they should ever choose a non-resident, it must be one of such eminent merit and qualifications, as would make it a good, rather than an evil; and that, in any event, the examples will be so rare, as never to amount to a serious evil. If the case then be neither clear nor urgent, would it not be better to let it lie undisturbed? Perhaps its decision may never be called for. But if it be indispensable to establish this disqualification now, would it not look better to declare such others, at the same time, as may be proper? I frankly confide to yourself these opinions, or rather no-opinions, of mine; but would not wish to have them go any farther. I want to be quiet; and although some circumstances, now and then, excite me to notice them, I feel safe, and happier in leaving events to those whose turn it is to take care of them; and, in general, to let it be understood, that I meddle little or not at all with public affairs. There are two subjects, indeed,

which I shall claim a right to further as long as I breathe, the public education, and the sub-division of counties into wards. I consider the continuance of republican government as absolutely hanging on these two hooks. Of the first, you will, I am sure, be an advocate, as having already reflected on it, and of the last, when you shall have reflected. Ever affectionately yours.

TO JAMES MADISON. J.MSS.

MONTICELLO, Feb. 16, 14.

DEAR SIR,—A letter from Colo. Earle of S. C. induces me to apprehend that the government is called on to reimburse expences to which I am persuaded it is no wise liable either in justice or liberality. I inclose you a copy of my answer to him, as it may induce further enquiry, & particularly of Genl. Dearborn. The Tennessee Senators of that day can also give some information.

We have not yet seen the scheme of the new loan, but the continual creation of new banks cannot fail to facilitate it; for already there is so much of their trash afloat that the great holders of it shew vast anxiety to get rid of it. They perceive that now, as in the revolutionary war, we are engaged in the old game of Robin's alive. They are ravenous after lands, and stick at no price. In the neighborhood of Richmond, the seat of that sort of sensibility, they offer twice as much now as they would give a year ago. 200 Millions in actual circulation and 200 millions more likely to be legitimated by the legislative sessions of this winter, will give us about 40 times the wholesome circulation for 8. millions of people. When the new emissions get out, our legislatures will see, what they otherwise cannot believe, that it is possible to have too much money. It will insure your loan for this year; but what will you do for the next? For I think it impossible but that the whole system must blow up before the year is out: and thus a tax of 3. or 400 millions will be levied on our citizens who had found it a work of so much time and labour to pay off a debt of 80. millions which had redeemed them from bondage. The new taxes are paid here with great cheerfulness. Those on stills and carriages will be wonderfully productive. A

general return to the cultivation of tobo. is taking place, because *it will keep*. This proves that the public mind is made up to a continuance of the war. Ever affectionately yours.

TO GIDEON GRANGER. J. MSS.

MONTICELLO, March 9, 1814.

DEAR SIR,—Your letter of February 22d came to hand on the 4th instant. Nothing is so painful to me as appeals to my memory on the subject of past transactions. From 1775 to 1809, my life was an unremitting course of public transactions, so numerous, so multifarious, and so diversified by places and persons, that, like the figures of a magic lanthern, their succession was with a rapidity that scarcely gave time for fixed impressions. Add to this the decay of memory consequent on advancing years, and it will not be deemed wonderful that I should be a stranger as it were even to my own transactions. Of some indeed I retain recollections of the particular, as well as general circumstances; of others a strong impression of the general fact, with an oblivion of particulars; but of a great mass, not a trace either of general or particular remains in my mind. I have duly pondered the facts stated in your letter, and for the refreshment of my memory have gone over the letters which passed between us while I was in the administration of the government, have examined my private notes, and such other papers as could assist me in the recovery of the facts, and shall now state them seriatim from your letter, and give the best account of them I am able to derive from the joint sources of memory and papers.

"I have been denounced as a Burrite; but you know that in 1800 I sent Erving from Boston to inform Virginia of the danger resulting from his intrigues." I well remember Mr. Erving's visit to this State about that time; and his suggestions of the designs meditated in the quarter you mention; but as my duties on the occasion were to be merely passive, he of course, as I presume, addressed his communications more particularly to those who were free to use them. I do not recollect his mentioning you; but I find that in your letter to me of April 26, 1804, you

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state your agency on that occasion, so that I have no reason to doubt the fact.

"That in 1803–4, on my advice, you procured Erastus Granger to inform De Witt Clinton of the plan to elevate Burr in New York." Here I do not recollect the particulars; but I have a general recollection that Colonel Burr's conduct had already, at that date rendered his designs suspicious; that being for that reason laid aside by his constituents as Vice President, and aiming to become the Governor of New York, it was thought advisable that the persons of influence in that State should be put on their guard; and Mr. Clinton being eminent, no one was more likely to receive intimations from us, nor any one more likely to be confided in for their communication than yourself. I have no doubt therefore of the fact, and the less because in your letter to me of October 9, 1806, you remind me of it.

About the same period, that is, in the winter of 1803–4, another train of facts took place which, although not specifically stated in your letter, I think it but justice to yourself that I should state. I mean the intrigues which were in agitation, and at the bottom of which we believed Colonel Burr to be; to form a coalition of the five eastern States, with New York and New Jersey, under the new appellation of the seven eastern States; either to overawe the Union by the combination of their power and their will, or by threats of separating themselves from it. Your intimacy with some of those in the secret gave you opportunities of searching into their proceedings, of which you made me daily and confidential reports. This intimacy to which I had such useful recourse, at the time, rendered you an object of suspicion with many as being yourself a partisan of Colonel Burr, and engaged in the very combination which you were faithfully employed in defeating. I never failed to justify you to all those who brought their suspicions to me, and to assure them of my knowledge of your fidelity. Many were the individuals, then members of the legislature, who received these assurances from me, and whose apprehensions were thereby quieted. This first project of Colonel Burr having vanished in smoke, he directed to the western country those views which are the subject of your next article.

"That in 1806, I communicated by the first mail after I had got knowledge of the fact, the supposed plans of Burr in his western expedition; upon which communication your council was first called together to take measures in relation to that subject." Not exactly on that single communication; on the 15th and 18th of September, I had received letters from Colonel George Morgan, and from a Mr. Nicholson of New York, suggesting in a general way the maneuvres of Colonel Burr. Similar information came to the Secretary of State from a Mr. Williams of New York. The indications, however, were so vague that I only desired their increased attention to the subject, and further communications of what they should discover. Your letter of October 16, conveying the communications of General Eaton to yourself and to Mr. Ely gave a specific view of the objects of this new conspiracy, and corroborating our previous information, I called the Cabinet together, on the 22d of October, when specific measures were adopted for meeting the dangers threatened in the various points in which they might occur. I say your letter of October 16 gave this information, because its date, with the circumstance of its being no longer on my files, induces me to infer it was that particular letter, which having been transferred to the bundle of the documents of that conspiracy, delivered to the Attorney General, is no longer in my possession.

Your mission of Mr. Pease on the route to New Orleans, at the time of that conspiracy, with powers to see that the mails were expedited, and to dismiss at once every agent of the Post Office whose fidelity could be justly doubted, and to substitute others on the spot was a necessary measure, taken with my approbation; and he executed the trusts to my satisfaction. I do not know however that my subsequent appointment of him to the office of Surveyor General was influenced, as you suppose, by those services. My motives in that appointment were my personal knowledge of his mathematical qualifications and satisfactory informations of the other parts of his character.

With respect to the dismission of the prosecutions for sedition in Connecticut, it is well known to have been a tenet of the republican portion of our fellow citizens, that the sedition law was contrary to the constitution and therefore void. On this ground

I considered it as a nullity wherever I met it in the course of my duties; and on this ground I directed *nolle prosequis* in all the prosecutions which had been instituted under it, and as far as the public sentiment can be inferred from the occurrences of the day, we may say that this opinion had the sanction of the nation. The prosecutions, therefore, which were afterwards instituted in Connecticut, of which two were against printers, two against preachers, and one against a judge, were too inconsistent with this principle to be permitted to go on. We were bound to administer to others the same measure of law, not which they had meted to us, but we to ourselves, and to extend to all equally the protection of the same constitutional principles. These prosecutions, too, were chiefly for charges against myself, and I had from the beginning laid it down as a rule to notice nothing of the kind. I believed that the long course of services in which I had acted on the public stage, and under the eye of my fellow citizens, furnished better evidence to them of my character and principles, than the angry invectives of adverse partisans in whose eyes the very acts most approved by the majority were subjects of the greatest demerit and censure. These prosecutions against them, therefore, were to be dismissed as a matter of duty. But I wished it to be done with all possible respect to the worthy citizens who had advised them, and in such way as to spare their feelings which had been justly irritated by the intemperance of their adversaries. As you were of that State and intimate with these characters, the business was confided to you, and you executed it to my perfect satisfaction.

These I think are all the particular facts on which you have asked my testimony, and I add with pleasure, and under a sense of duty, the declaration that the increase of rapidity in the movement of the mails which had been vainly attempted before, were readily undertaken by you on your entrance into office, and zealously and effectually carried into execution, and that the affairs of the office were conducted by you with ability and diligence, so long as I had opportunities of observing them.

With respect to the first article mentioned in your letter, in which I am neither concerned nor consulted, I will yet, as a friend, volunteer my advice. I never knew anything of it, nor would ever listen to such gossiping trash. Be assured, my dear

Sir, that the dragging such a subject before the public will excite universal reprobation, and they will drown in their indignation all the solid justifications which they would otherwise have received and weighed with candor. Consult your own experience, reflect on the similar cases which have happened within your own knowledge, and see if ever there was a single one in which such a mode of recrimination procured favor to him who used it. You may give pain where perhaps you wish it, but be assured it will re-act on yourself with double though delayed effect, and that it will be one of those incidents of your life on which you will never reflect with satisfaction. Be advised, then; erase it even from your memory, and stand erect before the world on the high ground of your own merits, without stooping to what is unworthy either of your or their notice. Remember that we often repent of what we have said, but never, never of that which we have not. You may have time enough hereafter to mend your hold, if ever it can be mended by such matter as that. Take time then, and do not commit your happiness and public estimation by too much precipitancy. I am entirely uninformed of the state of things which you say exists, and which will oblige you to make a solemn appeal to the nation, in vindication of your character. But whatever that be, I feel it a duty to bear testimony to the truth, and I have suggested with frankness other considerations occurring to myself, because I wish you well, and I add sincere assurances of my great respect and esteem.

TO JAMES MADISON. J. MSS.

MONTICELLO, Mar. 10. 14.

DEAR SIR,—Your favor of Feb. 7. was duly received. That which it gave me reason to expect from Mr. G.[1] did not come till the 4th inst. He mentioned in it that a state of things existed which probably would oblige him to make a solemn appeal to the public, and he asked my testimony to certain specific facts which he stated. These related solely to charges against him as a Burrite, and to his agency in dismissing the prosecutions in Connecticut under the Sedition Law. The facts alledged as disproving

[1] Gideon Granger.

his Burrism were 1. That he thro' Mr. Erving in 1800. put Virginia on her guard against the designs of Burr. 2. That in 1803. 4. at my request he communicated to De Witt Clinton Burr's aspiring to the government of New York. 3. That in 1806. he gave us the first effectual notice of Burr's Western projects, by which we were enabled to take specific measures to meet them. 4. His mission of Mr. Pease on the route to N. Orleans to expedite the mails and remove suspected agents of the Post office. These appeals to my very defective memory are very painful. I have looked over my papers, and answered his enquiries as exactly as I could, under a sense not only of the general duty of bearing testimony to truth, but of justice to him personally for his conduct towards me was ever friendly and faithful, and I on several occasions used his services to the advantage of the public.

He said nothing on the subject of Tayloe's post office, but I remember the substance, altho' not the minutiae of that case. He informed me that Mr. Tayloe held a post office near Mount Airy, and exercised it by his steward as a deputy to himself residing at Washington, merely for the purpose of carrying on his plantation correspondence free of postage. I advised his immediate appointment of another, as well on the ground of the abusive use of the office, as to suppress the example of non-residents holding local offices, which would otherwise lead immediately to the most pernicious practises of sinecure.

Of the Baptist preacher and Mr. Tayloe's underbidding him I recollect nothing. I remember that Mr. Granger, soon after he came into office, informed me of a device, practised by the federalists in the Eastern states to favor the circulation of their papers and defeat that of the republicans, which was when ever a republican rider was employed, to underbid to a price below what the business could be done for, submitting to that loss for one year, and the next to demand the full price, the republican being thus removed from the competition, by the disposal of his horses &c. I desired him whenever a bidder should offer below the real worth, & there should be reason to suspect this fraud, to reject him, and I would take on myself the responsibility. If I was consulted on the competition of Tayloe and the baptist preacher, and gave an opinion on it, it must have been stated as a case of

this class. As to the compromise alledged of giving up the one case for the other, no such idea was ever presented to me, nor would Mr. G. have ventured to present it, and I am certain that not a word ever passed between Doctr Jones & myself on the subject. The true remedy for putting those appointments into a wholesome state would be a law vesting them in the President, but without the intervention of the Senate. That intervention would make the matter worse. Every Senator would expect to dispose of all the post offices in his vicinage, or perhaps in his state. At present the President has some controul over those appointments by his authority over the Postmaster himself. And I should think it well to require him to lay all his appointments previously before the President for his approbation or rejection. An expression in Mr. G's letter gave me ground to advise him to confine his vindication to it's important points whatever they might be, and not to let his passions lead him into matter which would degrade himself alone in the public opinion, and I have urged it in such terms as I trust will have effect.

Our agriculture presents little interesting. Wheat looks badly, much having been killed by the late severe weather. Corn is scarce, but it's price kept down to 3. D. by the substitute of wheat as food both for laborers and horses, costing only 3/6 to 4/. They begin to distill the old flour, getting 10. galls of whiskey from the barrel, which produced 5. to 6. D. the barrel & consequently more than we can get at Richmond for the new. Tobacco is high, from it's scarcity, there having been not more than ¼ of an ordinary crop planted the last year. This year there will probably be ⅓. Ever affectionately yours.

TO JOHN ADAMS.

J. MSS.

MONTICELLO, July 5, 1814.

DEAR SIR,—Since mine of January the 24th, yours of March the 14th has been received. It was not acknowledged in the short one of May the 18th, by Mr. Rives, the only object of that having been to enable one of our most promising young men to have the advantage of making his bow to you. I learned with

great regret the serious illness mentioned in your letter; and I hope Mr. Rives will be able to tell me you are entirely restored. But our machines have now been running seventy or eighty years, and we must expect that, worn as they are, here a pivot, there a wheel, now a pinion, next a spring, will be giving way; and however we may tinker them up for a while, all will at length surcease motion. Our watches, with works of brass and steel, wear out within that period. Shall you and I last to see the course the seven-fold wonders of the times will take? The Attila of the age dethroned, the ruthless destroyer of ten millions of the human race, whose thirst for blood appeared unquenchable, the great oppressor of the rights and liberties of the world, shut up within the circle of a little island of the Mediterranean, and dwindled to the condition of an humble and degraded pensioner on the bounty of those he had most injured. How miserably, how meanly, has he closed his inflated career! What a sample of the bathos will his history present! He should have perished on the swords of his enemies, under the walls of Paris.

"Leon piagato a morte
Sente mancar la vita,
Guarda la sua ferita,
Ne s'avilisce ancor.
Cosi fra l'ire estrema
Rugge, minaccia, e freme,
Che fa tremar morendo
Tal volta il cacciator."

—Metast. Adriano.

But Bonaparte was a lion in the field only. In civil life, a cold-blooded, calculating, unprincipled usurper, without a virtue: no statesman, knowing nothing of commerce, political economy, or civil government, and supplying ignorance by bold presumption. I had supposed him a great man until his entrance into the Assembly *des cinq cens*, eighteen Brumaire (an. 8.). From that date, however, I set him down as a great scoundrel only. To the wonders of his rise and fall, we may add that of a Czar of Muscovy, dictating, *in Paris*, laws and limits to all the successors of the Cæsars, and holding even the balance in which the fortunes of this new world are suspended. I own, that while I rejoice, for the good of mankind, in the deliverance of Europe from the havoc which would never have ceased while Bonaparte should have lived in power, I see with anxiety the tyrant of the ocean

remaining in vigor, and even participating in the merit of crushing his brother tyrant. While the world is thus turned up side down, on which of its sides are we? All the strong reasons, indeed, place us on the side of peace; the interests of the continent, their friendly dispositions, and even the interests of England. Her passions alone are opposed to it. Peace would seem now to be an easy work, the causes of the war being removed. Her orders of council will no doubt be taken care of by the allied powers, and, war ceasing, her impressment of our seamen ceases of course. But I fear there is foundation for the design intimated in the public papers, of demanding a cession of our right in the fisheries. What will Massachusetts say to this? I mean her majority, which must be considered as speaking through the organs it has appointed itself, as the index of its will. She chose to sacrifice the liberties of our seafaring citizens, in which we were all interested, and with them her obligations to the co-States, rather than war with England. Will she now sacrifice the fisheries to the same partialities? This question is interesting to her alone; for to the middle, the southern and western States, they are of no direct concern; of no more than the culture of tobacco, rice and cotton, to Massachusetts. I am really at a loss to conjecture what our refractory sister will say on this occasion. I know what, as a citizen of the Union, I would say to her. "Take this question *ad referendum*. It concerns you alone. If you would rather give up the fisheries than war with England, we give them up. If you had rather fight for them, we will defend your interests to the last drop of our blood, choosing rather to set a good example than follow a bad one." And I hope she will determine to fight for them. With this, however, you and I shall have nothing to do; ours being truly the case wherein "*non tali auxilio, nec defensoribus istis tempus eget.*" Quitting this subject, therefore, I will turn over a new leaf.

I am just returned from one of my long absences, having been at my other home for five weeks past. Having more leisure there than here for reading, I amused myself with reading seriously Plato's Republic. I am wrong, however, in calling it amusement, for it was the heaviest task-work I ever went through. I had occasionally before taken up some of his other works, but

scarcely ever had patience to go through a whole dialogue. While wading through the whimsies, the puerilities, and unintelligible jargon of this work, I laid it down often to ask myself how it could have been, that the world should have so long consented to give reputation to such nonsense as this? How the *soi-disant* Christian world, indeed, should have done it, is a piece of historical curiosity. But how could the Roman good sense do it? And particularly, how could Cicero bestow such eulogies on Plato! Although Cicero did not wield the dense logic of Demosthenes, yet he was able, learned, laborious, practised in the business of the world, and honest. He could not be the dupe of mere style, of which he was himself the first master in the world. With the moderns, I think, it is rather a matter of fashion and authority. Education is chiefly in the hands of persons who, from their profession, have an interest in the reputation and the dreams of Plato. They give the tone while at school, and few in their after years have occasion to revise their college opinions. But fashion and authority apart, and bringing Plato to the test of reason, take from him his sophisms, futilities and incomprehensibilities, and what remains? In truth, he is one of the race of genuine sophists, who has escaped the oblivion of his brethren, first, by the elegance of his diction, but chiefly, by the adoption and incorporation of his whimsies into the body of artificial Christianity. His foggy mind is forever presenting the semblances of objects which, half seen through a mist, can be defined neither in form nor dimensions. Yet this, which should have consigned him to early oblivion, really procured him immortality of fame and reverence. The Christian priesthood, finding the doctrines of Christ levelled to every understanding, and too plain to need explanation, saw in the mysticism of Plato materials with which they might build up an artificial system, which might, from its indistinctness, admit everlasting controversy, give employment for their order, and introduce it to profit, power and pre-eminence. The doctrines which flowed from the lips of Jesus himself are within the comprehension of a child; but thousands of volumes have not yet explained the Platonisms engrafted on them; and for this obvious reason, that nonsense can never be explained. Their purposes, however, are

answered. Plato is canonized; and it is now deemed as impious to question his merits as those of an Apostle of Jesus. He is peculiarly appealed to as an advocate of the immortality of the soul; and yet I will venture to say, that were there no better arguments than his in proof of it, not a man in the world would believe it. It is fortunate for us, that Platonic republicanism has not obtained the same favor as Platonic Christianity; or we should now have been all living, men, women and chilren, pell mell together, like beasts of the field or forest. Yet "Plato is a great philosopher," said La Fontaine. But, says Fontenelle, "Do you find his ideas very clear?" "Oh no! he is of an obscurity impenetrable." "Do you not find him full of contradictions?" "Certainly," replied La Fontaine, "he is but a sophist." Yet immediately after he exclaims again, "Oh, Plato was a great philosopher." Socrates had reason, indeed, to complain of the misrepresentations of Plato; for in truth, his dialogues are libels on Socrates.

But why am I dosing you with these antediluvian topics? Because I am glad to have some one to whom they are familiar, and who will not receive them as if dropped from the moon. Our post-revolutionary youth are born under happier stars than you and I were. They acquire all learning in their mother's womb, and bring it into the world ready made. The information of books is no longer necessary; and all knowledge which is not innate, is in contempt, or neglect at least. Every folly must run its round; and so, I suppose, must that of self-learning and self-sufficiency; of rejecting the knowledge acquired in past ages, and starting on the new ground of intuition. When sobered by experience, I hope our successors will turn their attention to the advantages of education. I mean of education on the broad scale, and not that of the petty *academies*, as they call themselves, which are starting up in every neighborhood, and where one or two men, possessing Latin and sometimes Greek, a knowledge of the globes, and the first six books of Euclid, imagine and communicate this as the sum of science. They commit their pupils to the theatre of the world, with just taste enough of learning to be alienated from industrious pursuits, and not enough to do service in the ranks of science. We have some exceptions, indeed.

I presented one to you lately, and we have some others. But the terms I use are general truths. I hope the necessity will, at length, be seen of establishing institutions here, as in Europe, where every branch of science, useful at this day, may be taught in its highest degree. Have you ever turned your thoughts to the plan of such an institution? I mean to a specification of the particular sciences of real use in human affairs, and how they might be so grouped as to require so many professors only as might bring them within the views of a just but enlightened economy? I should be happy in a communication of your ideas on this problem, either loose or digested. But to avoid my being run away with by another subject, and adding to the length and ennui of the present letter, I will here present to Mrs. Adams and yourself, the assurance of my constant and sincere friendship and respect.

TO WILLIAM WIRT. J. MSS.

MONTICELLO, August 14, 1814.

DEAR SIR,—I have been laying under contribution my memory, my private papers, the printed records, gazettes and pamphlets in my possession, to answer the inquiries of your letter of July 27, and I will give you the result as correctly as I can. I kept no copy of the paper I sent you on a former occasion on the same subject, nor do I retain an exact recollection of its contents. But if in that I stated the question on the loan office to have been in 1762, I did it with too slight attention to the date, although not to the fact. I have examined the journals of the House of Burgesses, of 1760–1–2, in my possession, and find no trace of the proceeding in them. By those of 1764, I find that the famous address to the king, and memorials to the Houses of Lords and Commons, on the proposal of the Stamp Act, were of that date; and I know that Mr. Henry was not a member of the legislature when they were passed. I know also, because I was present, that Robinson (who died in May, 1766,) was in the chair on the question of the loan office. Mr. Henry, then, must have come

in between these two epochs, and consequently in 1765. Of this year I have no journals to refresh my memory. The first session was in May, and his first remarkable exhibition there was on the motion for the establishment of an office for lending money on mortgages of real property. I find in Royle's Virginia Gazette, of the 17th of that month this proposition for the loan office brought forward, its advantages detailed, and the plan explained; and it seems to have been done by a borrowing member, from the feeling with which the motives are expressed; and to have been preparatory to the intended motion. This was probably made immediately after that date, and certainly before the 30th, which was the date of Mr. Henry's famous resolutions. I had been intimate with Mr. Henry since the winter of 1759–60, and felt an interest in what concerned him, and I can never forget a particular exclamation of his in the debate in which he electrified his hearers. It had been urged that from certain unhappy circumstances of the colony, men of substantial property had contracted debts, which, if exacted suddenly, must ruin them and their families, but, with a little indulgence of time, might be paid with ease. "What, Sir!" exclaimed Mr. Henry, in animadverting on this, "is it proposed then to reclaim the spendthrift from his dissipation and extravagance, by filling his pockets with money." These expressions are indelibly impressed on my memory. He laid open with so much energy the spirit of favoritism on which the proposition was founded, and the abuses to which it would lead, that it was crushed in its birth. Abortive motions are not always entered on the journals, or rather, they are rarely entered. It is the modern introduction of yeas and nays which has given the means of placing a rejected motion on the journals; and it is likely that the speaker, who, as treasurer, was to be the loan officer, and had the direction of the journals, would choose to omit an entry of the motion in this case. This accounts sufficiently for the absence of any trace of the motion in the journals. There was no suspicion then, (as far, at least, as I know,) that Robinson had used the public money in private loans to his friends, and that the secret object of this scheme was to transfer those debtors to the public, and thus clear his accounts. I have diligently examined the names of the members

on the journals of 1764, to see if any were still living to whose memory we might recur on this subject, but I find not a single one now remaining in life.

Of the parson's cause I remember nothing remarkable. I was at school with Mr. Maury during the years 1758 and 1759, and often heard them inveigh against the iniquity of the act of 1758, called the two-penny act. In 1763, when that cause was decided in Hanover, I was a law-student in Williamsburg, and remember only that it was a subject of much conversation, and of great paper-controversy, in which Camm, and Colonel Bland, were the principal champions.

The disputed election in which Mr. Henry made himself remarkable, must have been that of Dandridge and Littlepage, in 1764, of which, however, I recollect no particulars, although I was still a student in Williamsburg, and paid attention to what was passing in the legislature.

I proceed now to the resolution of 1765. The copies you enclose me, and that inserted by Judge Marshall in his history, and copied verbatim by Burke, are really embarrassing by their differences. 1. That the four resolutions taken from the records of the House, is the genuine copy of what they passed, *as amended* by themselves, cannot be doubted. 2. That the copy which Mr. Henry left sealed up, is a true copy of these four resolutions, *as reported* by the committee, there is no reason to doubt. 3. That Judge Marshall's version of three of these resolutions, (for he has omitted one altogether,) is from an unauthentic source is sufficiently proved by their great variation from the record in diction, although equivalent in sentiment. But what are we to say of Mr. Henry's fifth, and Mr. Marshall's two last, which we may call the sixth and seventh resolutions? The fifth has clearly nothing to justify the debate and proceedings which one of them produced. But the sixth is of that character, and perfectly tallies with the idea impressed on my mind, of that which was expunged. Judge Marshall tells us that two were disagreed to by the House, which may be true. I do not indeed recollect it, but I have no recollection to the contrary. My hypothesis, then, is this, that the two disagreed to were the fifth and seventh. The fifth, because merely tautologous of the third and fourth, and

the seventh, because leading to individual persecution, for which no mind was then prepared. And that the sixth was the one passed by the House, by a majority of a single vote, and expunged from the journals the next day. I was standing at the door of communication between the house and lobby during the debates and vote, and well remember, that after the numbers on the division were told, and declared from the chair, Peyton Randolph (then Attorney General) came out at the door where I was standing, and exclaimed, "By God, I would have given one hundred guineas for a single vote." For one vote would have divided the house, and Robinson was in the chair, who he knew would have negatived the resolution. Mr. Henry left town that evening, or the next morning; and Colonel Peter Randolph, then a member of the Council, came to the House of Burgesses about 10 o'clock of the forenoon, and sat at the clerk's table till the House-bell rang, thumbing over the volumes of Journals to find a precedent of expunging a vote of the House, which he said had taken place while he was a member or clerk of the House, I do not recollect which. I stood by him at the end of the table a considerable part of the time, looking on as he turned over the leaves, but I do not recollect whether he found the erasure. In the meantime, some of the timid members, who had voted for the strongest resolution, had become alarmed, and as soon as the House met, a motion was made, and carried, to expunge it from the journals. And here I will observe, that Burke's statement with his opponents, is entirely erroneous. I suppose the original journal was among those destroyed by the British, or its obliterated face might be appealed to. It is a pity this investigation was not made a few years sooner, when some of the members of the day were still living. I think inquiry should be made of Judge Marshall for the source from which he derived his copy of the resolutions. This might throw light on the sixth and seventh, which I verily believe, and especially the sixth, to be genuine in substance. On the whole, I suppose the four resolutions which are on the record, were passed and retained by the House; that the sixth is that which was passed by a single vote and expunged, and the fifth and seventh, the two which Judge Marshall says were disagreed to. That Mr. Henry's copy, then,

should not have stated all this, is the remaining difficulty. This copy he probably sealed up long after the transaction, for it was long afterwards that these resolutions, instead of the address and memorials of the preceding year, were looked back to as the commencement of legislative opposition. His own judgment may, at a later date, have approved of the rejection of the sixth and seventh, although not of the fifth, and he may have left and sealed up a copy, in his own handwriting, as approved by his ultimate judgment. This, to be sure, is conjecture, and may rightfully be rejected by any one to whom a more plausible solution may occur; and there I must leave it. The address of 1764 was drawn by Peyton Randolph. Who drew the memorial to the Lords I do not recollect, but Mr. Wythe drew that to the Commons. It was done with so much freedom, that, as he has told me himself, his colleagues of the committee shrank from it as bearing the aspect of treason, and smoothed its features to its present form. He was, indeed, one of the very few, (for I can barely speak of them in the plural number,) of either character, who, from the commencement of the contest, hung our connection with Great Britain on its true hook, that of a common king. His unassuming character, however, made him appear as a follower, while his sound judgment kept him in a line with the freest spirit. By these resolutions, Mr. Henry took the lead out of the hands of those who had heretofore guided the proceedings of the House, that is to say, of Pendleton, Wythe, Bland, Randolph, Nicholas. These were honest and able men, had begun the opposition on the same grounds, but with a moderation more adapted to their age and experience. Subsequent events favored the bolder spirits of Henry, the Lees, Pages, Mason, &c., with whom I went in all points. Sensible, however, of the importance of unanimity among our constituents, although we often wished to have gone faster, we slackened our pace, that our less ardent colleagues might keep up with us; and they, on their part, differing nothing from us in principle, quickened their gait somewhat beyond that which their prudence might of itself have advised, and thus consolidated the phalanx which breasted the power of Britain. By this harmony of the bold with the cautious, we advanced with our constituents in undivided mass, and with

fewer examples of separation than, perhaps, existed in any other part of the Union.

I do not remember the topics of Mr. Henry's argument, but those of his opposers were that the same sentiments had been expressed in the address and memorials of the preceding session, to which an answer was expected and not yet received. I well remember the cry of treason, the pause of Mr. Henry at the name of George the III., and the presence of mind with which he closed his sentence, and baffled the charge vociferated. I do not think he took the position in the middle of the floor which you mention. On the contrary, I think I recollect him standing in the very place which he continued afterwards habitually to occupy in the house.

The censure of Mr. E. Randolph on Mr. Henry in the case of Philips, was without foundation. I remember the case, and took my part in it. Philips was a mere robber, who availing himself of the troubles of the times, collected a banditti, retired to the Dismal Swamps, and from thence sallied forth, plundering and maltreating the neighboring inhabitants, and covering himself, without authority, under the name of a British subject. Mr. Henry, then Governor, communicated the case to me. We both thought the best proceeding would be by bill of attainder, unless he delivered himself up for trial within a given time. Philips was afterwards taken; and Mr. Randolph being Attorney General, and apprehending he would plead that he was a British subject, taken in arms, in support of his lawful sovereign, and as a prisoner of war entitled to the protection of the law of nations, he thought the safest proceeding would be to indict him at common law as a felon and robber. Against this I believe Philips urged the same plea: he was overruled and found guilty.

I recollect nothing of a doubt on the re-eligibility of Mr. Henry to the government when his term expired in 1779, nor can I conceive on what ground such a doubt could have been entertained, unless perhaps that his first election in June, 1776, having been before we were nationally declared independent, some might suppose it should not be reckoned as one of the three constitutional elections.

Of the projects for appointing a Dictator there are said to have been two. I know nothing of either but by hearsay. The first was in Williamsburg in December, 1776. The Assembly had the month before appointed Mr. Wythe, Mr. Pendleton, George Mason, Thomas L. Lee, and myself, to revise the whole body of laws, and adapt them to our new form of government. I left the House early in December to prepare to join the Committee at Fredericksburg, the place of our first meeting. What passed, therefore, in the House in December, I know not, and have not the journals of that session to look into. The second proposition was in June, 1781, at the Staunton session of the legislature. No trace of this last motion is entered on the journals of that date, which I have examined. This is a further proof that the silence of the journals is no evidence against the fact of an abortive motion. Among the names of the members found on the journal of the Staunton session, are John Taylor of Caroline, General Andrew Moore, and General Edward Stevens of Culpeper, now living. It would be well to ask information from each of them, that their errors of memory, or of feeling, may be corrected by collation.

You ask if I would have any objection to be quoted as to the fact of rescinding the last of Mr. Henry's resolutions. None at all as to that fact, or its having been passed by a majority of one vote only; the scene being as present to my mind as that in which I am now writing. But I do not affirm, although I believe it was the sixth resolution.

It is truly unfortunate that those engaged in public affairs so rarely make notes of transactions passing within their knowledge. Hence history becomes fable instead of fact. The great outlines may be true, but the incidents and coloring are according to the faith or fancy of the writer. Had Judge Marshall taken half your pains in sifting and scrutinizing facts, he would not have given to the world, as true history, a false copy of a record under his eye. Burke again has copied him, and being a second writer on the spot, doubles the credit of the copy. When writers are so indifferent as to the correctness of facts, the verification of which lies at their elbow, by what measure shall we estimate their relation of things distant, or of those given to us

through the obliquities of their own vision? Our records, it is true, in the case under contemplation, were destroyed by the malice and Vandalism of the British military, perhaps of their government, under whose orders they committed so much useless mischief. But printed copies remained, as your examination has proved. Those which were apocryphal, then, ought not to have been hazarded without examination. Should you be able to ascertain the genuineness of the sixth and seventh resolutions, I would ask a line of information, to rectify or to confirm my own impressions respecting them. Ever affectionately yours.[1]

[1] Jefferson further wrote to Wirt:

MONTICELLO, May 12, '15.

DEAR SIR,—Among some queries you addressed to me some time ago, was one on the case of Josiah Phillips, which happened early in the revolution. Not aware that the propriety of the proceeding in that case had been questioned and reprehended, my answer was general on that query. An application from another quarter having informed me of the doubts which have been expressed on it, I have bestowed more reflection on it, and I send you an extract from my answer by way of supplement to what I said to you on the subject. I was then thoroughly persuaded of the correctness of the proceeding, and am more and more convinced by reflection. If I am in error, it is an error of principle. I know of no substitute for the process of outlawry, so familiar to our law, or to it's kindred process by act of attainder, duly applied, which could have reached the case of Josiah Phillips. One of these, or absolute impunity seems the only alternative. Ever and affectionately.

MONTICELLO, August 5, 1815.

DEAR SIR,—Your favor of July 24th came to hand on the 31st, and I will proceed to answer your inquiries in the order they are presented as far as I am able.

I have no doubt that the fifth of the Rhode Island resolutions of which you have sent me a copy, is exactly the one erased from our journals. The Mr. Lees, and especially Richard Henry, who was industrious, had a close correspondence, I know, with the two Adams', and probably with others in that and the other Eastern States; and I think it was said at the time that copies were sent off by them to the northward the very evening of the day on which they were passed. I can readily enough believe these resolutions were written by Mr. Henry himself. They bear the stamp of his mind, strong without precision. That they were written by Johnson who seconded them, was only the rumor of the day, and very possibly unfounded. But how Edmund Randolph should have said they were written by William Fleming, and Mr. Henry should

TO JOHN THOMPSON MASON. J.MSS.

MONTICELLO Aug. 18. 14.

DEAR SIR,—Your letter of May 5. was handed me by Dr. Wallace on the 25th of June, & I have added to the delay of answering it by waiting the arrival of the specimens of Mrs. Mason's skill in manufactures which your letter mentd. These (after various accidents of delay immaterial to explain) arrived yesterday, and excite the admiration of us all. They prove Mrs. Mason is really a more dangerous adversary to our British foes, than all our Generals. These attack the hostile armies only, she the source of

have written that he showed them to William Fleming, is to me incomprehensible. There was no William Fleming then but the judge now living, whom nobody will ever suspect of taking the lead in rebellion. I am certain he was not then a member, and I think was never a member until the revolution had made some progress. Of this, however, he will inform us with candor and truth. His eldest brother, John Fleming, was a member, and a great speaker in debate. To him they may have been shown. Yet I should not have expected this, because he was extremely attached to Robinson, Peyton Randolph, &c., and at their beck, and had no independence or boldness of mind. However, he was attentive to his own popularity, might have been overruled by views to that, and without correction of the christian name, Mr. Henry's note is sufficient authority to suppose he took the popular side on that occasion. I remember nothing to the contrary. The opposers of the resolutions were Robinson, Peyton Randolph, Pendleton, Wythe, Bland, and all the cyphers of the aristocracy. No longer possessing the journals, I cannot recollect nominally the others. They opposed them on the ground that the same principles had been expressed in the petition, &c., of the preceding year, to which an answer, not yet received, was daily expected, that they were therein expressed in more conciliatory terms, and therefore more likely to have good effect. The resolutions were carried chiefly by the vote of the middle and upper country. To state the differences between the classes of society and the lines of demarkation which separated them, would be difficult. The law, you know, admitted none except as to the twelve counsellors. Yet in a country insulated from the European world, insulated from its sister colonies, with whom there was scarcely any intercourse, little visited by foreigners, and having little matter to act upon within itself, certain families had risen to splendor by wealth and the preservation of it from generation to generation under the law entails; some had produced a series of men of talents; families in general had remained stationary on the grounds of their forefathers, for there was no emigration to the westward in those days. The wild Irish, who had gotten possession of the valley between the Blue Ridge and North Mountain, forming a barrier over which

their subsistence. What these do counts nothing because they take one day & lose another: what she does counts double, because what she takes from the enemy is added to us: I hope too she will have more followers than our Generals, but few rivals I

none ventured to leap, and would still less venture to settle among. In such a state of things, scarcely admitting any change of station, society would settle itself down into several strata, separated by no marked lines, but shading off imperceptibly from top to bottom, nothing disturbing the order of their repose. There were then aristocrats, half-breeds, pretenders, a solid independent yeomanry, looking askance at those above, yet not venturing to jostle them, and last and lowest, a seculum of beings called overseers, the most abject, degraded and unprincipled race, always cap in hand to the Dons who employed them, and furnishing materials for the exercise of their pride, insolence and spirit of domination. Your characters are inimitably and justly drawn. I am not certain if more might not be said of Colonel Richard Bland. He was the most learned and logical man of those who took prominent lead in public affairs, profound in constitutional lore, a most ungraceful speaker, (as were Peyton Randolph and Robinson, in a remarkable degree.) He wrote the first pamphlet on the nature of the connection with Great Britain which had any pretension to accuracy of view on that subject, but it was a singular one. He would set out on sound principles, pursue them logically till he found them leading to the precipice which he had to leap, start back alarmed, then resume his ground, go over it in another direction, be led again by the correctness of his reasoning to the same place, and again back about, and try other processes to reconcile right and wrong, but finally left his reader and himself bewildered between the steady index of the compass in their hand, and the phantasm to which it seemed to point. Still there was more sound matter in his pamphlet than in the celebrated Farmer's letters, which were really but an *ignis fatuus*, misleading us from true principles.

Landon Carter's measure you may take from the first volume of the American Philosophical transactions, where he has one or more long papers on the weavil, and perhaps other subjects. His speeches, like his writings, were dull, vapid, verbose, egotistical, smooth as the lullaby of the nurse, and commanding, like that, the repose only of the hearer.

You ask if you may quote me, first, for the loan office; second, Phillips' case; and third, the addresses prepared for Congress by Henry and Lee. For the two first certainly, because within my own knowledge, especially citing the record in Phillips' case, which of itself refutes the diatribes published on that subject; but not for the addresses, because I was not present, nor know anything relative to them but by hearsay from others. My first and principal information on that subject I know I had from Ben Harrison, on his return from the first session of the old Congress. Mr. Pendleton, also, I am tolerably certain, mentioned it to me; but the transaction is too distant, and my memory

fear. These specimens exceed any thing I saw during the revolutionary war; altho' our ladies of that day turned their whole efforts to these objects, & with great praise & success. The endeavors which Dr. Wallace informed you we were making in the

too indistinct, to hazard as with precision, even what I think I heard from them. In this decay of memory Mr. Edmund Randolph must have suffered at a much earlier period of life than myself. I cannot otherwise account for his saying to you that Robert Carter Nicholas came into the Legislature only on the death of Peyton Randolph, which was in 1776. Seven years before that period, I went first into the Legislature myself, to-wit: in 1769, and Mr. Nicholas was then a member, and I think not a new one. I remember it from an impressive circumstance. It was the first assembly of Lord Botetourt, being called on his arrival. On receiving the Governor's speech, it was usual to move resolutions as heads for an address. Mr. Pendleton asked me to draw the resolutions, which I did. They were accepted by the house, and Pendleton, Nicholas, myself and some others, were appointed a committee to prepare the address. The committee desired me to do it, but when presented it was thought to pursue too strictly the diction of the resolutions, and that their subjects were not sufficiently amplified. Mr. Nicholas chiefly objected to it, and was desired by the committee to draw one more at large, which he did with amplification enough, and it was accepted. Being a young man as well as a young member, it made on me an impression proportioned to the sensibility of that time of life. On a similar occasion some years after, I had reason to retain a remembrance of his presence while Peyton Randolph was living. On the receipt of Lord North's propositions, in May or June, 1775, Lord Dunmore called the assembly. Peyton Randolph, then President of Congress and Speaker of the House of Burgesses, left the former body and came home to hold the assembly, leaving in Congress the other delegates who were the ancient leaders of our house. He therefore asked me to prepare the answer to Lord North's propositions, which I did. Mr. Nicholas, whose mind had as yet acquired no tone for that contest, combated the answer from *alpha* to *omega*, and succeeded in diluting it in one or two small instances. It was firmly supported, however, in committee of the whole, by Peyton Randolph, who had brought with him the spirit of the body over which he had presided, and it was carried, with very little alteration, by strong majorities. I was the bearer of it myself to Congress, by whom, as it was the first answer given to those propositions by any legislature, it was received with peculiar satisfaction. I am sure that from 1769, if not earlier, to 1775, you will find Mr. Nicholas' name constantly in the journals, for he was an active member. I think he represented James City county. Whether on the death of Peyton Randolph he succeeded him for Williamsburg, I do not know. If he did, it may account for Mr. Randolph's error.

You ask some account of Mr. Henry's mind, information and manners in

same line, are very humble indeed. We have not as yet got beyond the cloathing of our laborers. We hope indeed soon to begin finer fabrics, and for higher uses. But these will probably be confined to cotton & wool. Our Spinning jennies working from 24. to 40. spindles each, produce an impatience of the single thread of the flaxwheel. 2. oz. of cotton for each spindle is a moderate day's work; and these, the simplest of machines, are made by our country joiners & kept in order by our overseers. Very different from the clockwork of Arkwright's machines whose tooth & pinion work requires a clockmaker to make & keep in repair. I have lately also seen the improvement of the loom by Janes, the most beautiful machine I have ever seen; wherein the hand which pulls the batten moves the shuttle, the treadles, the temples, the web and cloth beams, all at the same time; so that a person with one hand, & without feet, or using only one hand, may weave as well as with all their members. I am endeavoring to procure this improvement also. These cares are certainly more pleasant than those of the state; and were happiness the only legitimate object the public councils would be deserted. That corvee once performed however the independent happiness of domestic life may rightfully be sought & enjoyed. Mrs. Randolph joins me in thanks and friendly respects to Mrs. Mason, and I add assurances of constant esteem & affection to yourself.

1759–'60, when I first became acquainted with him. We met at Nathan Dandridge's, in Hanover, about the Christmas of that winter, and passed perhaps a fortnight together at the revelries of the neighborhood and season. His manners had something of the coarseness of the society he had frequented; his passion was fiddling, dancing and pleasantry. He excelled in the last, and it attached every one to him. The occasion perhaps, as much as his idle disposition, prevented his engaging in any conversation which might give the measure either of his mind or information. Opportunity was not wanting, because Mr. John Campbell was there, who had married Mrs. Spotswood, the sister of Colonel Dandridge. He was a man of science, and often introduced conversations on scientific subjects. Mr. Henry had a little before broke up his store, or rather it had broken him up, and within three months after he came to Williamsburg for his license, and told me, I think, he had read law not more than six weeks. I have by this time, probably, tired you with these old histories, and shall, therefore, only add the assurance of my great friendship and respect.

TO EDWARD COLES.[1]

MONTICELLO. August 25th, '14

DEAR SIR,—Your favour of July 31, was duly received, and was read with peculiar pleasure. The sentiments breathed through the whole do honor to both the head and heart of the writer. Mine on the subject of slavery of negroes have long since been in possession of the public, and time has only served to give them stronger root. The love of justice and the love of country plead equally the cause of these people, and it is a moral reproach to us that they should have pleaded it so long in vain, and should have produced not a single effort, nay I fear not much serious willingness to relieve them & ourselves from our present condition of moral & political reprobation. From those of the former generation who were in the fulness of age when I came into public life, which was while our controversy with England was on paper only, I soon saw that nothing was to be hoped. Nursed and educated in the daily habit of seeing the degraded condition, both bodily and mental, of those unfortunate beings, not reflecting that that degradation was very much the work of themselves & their fathers, few minds have yet doubted but that they were as legitimate subjects of property as their horses and cattle. The quiet and monotonous course of colonial life has been disturbed by no alarm, and little reflection on the value of liberty. And when alarm was taken at an enterprize on their own, it was not easy to carry them to the whole length of the principles which they invoked for themselves. In the first or second session of the Legislature after I became a member, I drew to this subject the attention of Col. Bland, one of the oldest, ablest, & most respected members, and he undertook to move for certain moderate extensions of the protection of the laws to these people. I seconded his motion, and, as a younger member, was more spared in the debate; but he was denounced as an enemy of his country, & was treated with the grossest indecorum. From an early stage of our revolution other & more distant duties were assigned to me, so that from that time till my return from Europe in 1789, and I may say till I returned to reside at home in 1809, I had

[1] From the Debates in the Virginia Convention, 1832.

little opportunity of knowing the progress of public sentiment here on this subject. I had always hoped that the younger generation receiving their early impressions after the flame of liberty had been kindled in every breast, & had become as it were the vital spirit of every American, that the generous temperament of youth, analogous to the motion of their blood, and above the suggestions of avarice, would have sympathized with oppression wherever found, and proved their love of liberty beyond their own share of it. But my intercourse with them, since my return has not been sufficient to ascertain that they had made towards this point the progress I had hoped. Your solitary but welcome voice is the first which has brought this sound to my ear; and I have considered the general silence which prevails on this subject as indicating an apathy unfavorable to every hope. Yet the hour of emancipation is advancing, in the march of time. It will come; and whether brought on by the generous energy of our own minds; or by the bloody process of St Domingo, excited and conducted by the power of our present enemy, if once stationed permanently within our Country, and offering asylum & arms to the oppressed, is a leaf of our history not yet turned over. As to the method by which this difficult work is to be effected, if permitted to be done by ourselves, I have seen no proposition so expedient on the whole, as that as emancipation of those born after a given day, and of their education and expatriation after a given age. This would give time for a gradual extinction of that species of labour & substitution of another, and lessen the severity of the shock which an operation so fundamental cannot fail to produce. For men probably of any color, but of this color we know, brought from their infancy without necessity for thought or forecast, are by their habits rendered as incapable as children of taking care of themselves, and are extinguished promptly whereever industry is necessary for raising young. In the mean time they are pests in society by their idleness, and the depredations to which this leads them. Their amalgamation with the other color produces a degradation to which no lover of his country, no lover of excellence in the human character can innocently consent. I am sensible of the partialities with which you have looked towards me as the person who should undertake this salu-

tary but arduous work. But this, my dear sir, is like bidding old Priam to buckle the armour of Hector "trementibus æquo humeris et inutile ferruncingi." No, I have overlived the generation with which mutual labors & perils begat mutual confidence and influence. This enterprise is for the young; for those who can follow it up, and bear it through to its consummation. It shall have all my prayers, & these are the only weapons of an old man. But in the mean time are you right in abandoning this property, and your country with it? I think not. My opinion has ever been that, until more can be done for them, we should endeavor, with those whom fortune has thrown on our hands, to feed and clothe them well, protect them from all ill usage, require such reasonable labor only as is performed voluntarily by freemen, & be led by no repugnancies to abdicate them, and our duties to them. The laws do not permit us to turn them loose, if that were for their good: and to commute them for other property is to commit them to those whose usage of them we cannot control. I hope then, my dear sir, you will reconcile yourself to your country and its unfortunate condition; that you will not lessen its stock of sound disposition by withdrawing your portion from the mass. That, on the contrary you will come forward in the public councils, become the missionary of this doctrine truly christian; insinuate & inculcate it softly but steadily, through the medium of writing and conversation; associate others in your labors, and when the phalanx is formed, bring on and press the proposition perseveringly until its accomplishment. It is an encouraging observation that no good measure was ever proposed, which, if duly pursued, failed to prevail in the end. We have proof of this in the history of the endeavors in the English parliament to suppress that very trade which brought this evil on us. And you will be supported by the religious precept, "be not weary in well-doing." That your success may be as speedy & complete, as it will be of honorable & immortal consolation to yourself, I shall as fervently and sincerely pray as I assure you of my great friendship and respect.

TO JOHN MINOR.

J.MSS.

MONTICELLO Aug. 30. 14

DEAR SIR,—I have at length found the paper of which you requested a copy. It was written near 50. years ago for the use of a young friend whose course of reading was confided to me; and it formed a basis for the studies of others subsequently placed under my direction, but curtailed for each in proportion to his previous acquirements and future views. I shall give it to you without change, except as to the books recommended to be read; later publications enabling me in some of the departments of science to substitute better, for the less perfect publications which we then possessed. In this the modern student has great advantage. I proceed to the copy.[1]

[1] TH. JEFFERSON TO BERNARD MOORE.

"Before you enter on the study of the law a sufficient groundwork must be laid. For this purpose an acquaintance with the Latin and French languages is absolutely necessary. The former you have; the latter must now be acquired. Mathematics and Natural philosophy are so useful in the most familiar occurrences of life, and are so peculiarly engaging & delightful as would induce every person to wish an acquaintance with them. Besides this, the faculties of the mind, like the members of the body, are strengthened & improved by exercise. Mathematical reasonings & deductions are therefore a fine preparation for investigating the abstruse speculations of the law. In these and the analogous branches of science the following elementary books are recommended.

Mathematics. Berout, Cours de Mathematiques. The best for a student ever published. Montucla or Bossu's histoire des mathematiques.

Astronomy. Ferguson and Le Monnier, or de la Lande.

Geography. Pinkerton.

Nat. Philosophy. Joyce's Scientific dialogues. Martin's Philosophica Britannica. Mussenbroek's Cours de Physique.

This foundation being laid, you may enter regularly on the study of the Laws, taking with it such of it's kindred sciences as will contribute to eminence in it's attainment. The principal of these are Physics, Ethics, Religion, Natural law, Belles lettres, Criticism, Rhetoric and Oratory. The carrying on several studies at a time is attended with advantage. Variety relieves the mind, as well as the eye, palled with too long attention to a single object. But with both, transitions from one object to another may be so frequent and transitory as to leave no impression. The mean is therefore to be steered, and a competent space of time allotted to each branch of study. Again, a great inequality is observable in the vigor of the mind at different periods of the day. It's powers at these periods should therefore be attended to in marshalling the business of

So for the paper; which I send you, not for it's merit, for it betrays sufficiently it's juvenile date; but because you have asked it. Your own experience in the more modern practice of the law will enable you to give it more conformity with the present course, and I know you will receive it kindly with all it's imperfections as an evidence of my great respect for your wishes, and of the sentiments of esteem and friendship of which I tender you sincere assurances.

TO JOHN WAYLES EPPES. J. MSS.

MONTICELLO, Sep /9. 14.

DEAR SIR,—I am sorry to learn by Francis's letter that you are not yet recovered from your rheumatism, and much wonder you

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the day. For these reasons I should recommend the following distribution of your time.

Till VIII o'clock in the morning employ yourself in Physical studies, Ethics, Religion, natural and sectarian, and Natural law, reading the following books.

Agriculture. Dickson's husbandry of the antients. Tull's horse-shoeing husbandry. Ld Kaim's Gentleman farmer. Young's Rural Economy. V. Hale's body of husbandry. De-Serre's Theatre d'Agriculture.

Chemistry. Lavoisier. Conversations in Chemistry.

Anatomy. John and James Bell's Anatomy.

Zoology. Abregé du Systeme de Linnée par Gilbert.
Manuel d'histoire Naturel par Blumenbach.
Buffon, including Montbeillard & La Cepede.
Wilson's American Ornithology.

Botany. Barton's elements of Botany. Turton's Linnaeus.
Person Synopsis Plantarum.

Ethics. & Natl Religion. Locke's Essay. Locke's conduct of the mind in the search after truth. Stewart's Philosophy of the human mind. Enfield's history of Philosophy. Condorcet, Progrès de l'esprit Humain.
Cicero de officiis. Tusculana. de Senectute. Somnium Scipionis. Senecae Philosophica. Hutchinson's Introduction to Moral Philosophy. Ld Kaim's Natural Religion. Traite elementaire de Morale et Bonheur. La Sagesse de Charron.

Religion. Sectarian Bible. New Testament. Commentaries on them by Middleton in his works, and by Priestley in his Corruptions of Christianity, & Early opinions of Christ. Volney's Ruins. The sermons of Sterne, Masillon & Bourdaloue.

do not go and pass a summer at the warm springs. From the examples I have seen I should entertain no doubt of a radical cure. The transactions at Washington and Alexandria are indeed beyond expectation. The circumjacent country is mostly disaf-

Natural Law. Vattel Droit des Gens. Reyneval. Institutions du droit de la Nature et des Gens.

From VIII. to XII. read law. The general course of this reading may be formed on the following grounds. Ld Coke has given us the first view of the whole body of law worthy now of being studied: for so much of the admirable work of Bracton is now obsolete that the student should turn to it occasionally only, when tracing the history of particular portions of the law. Coke's Institutes are a perfect Digest of the law as it stood in his day. After this, new laws were added by the legislature, and new developments of the old laws by the Judges, until they had become so voluminous as to require a new Digest. This was ably executed by Matthew Bacon, altho' unfortunately under an Alphabetical instead of Analytical arrangement of matter. The same process of new laws & new decisions on the old laws going on, called at length for the same operation again, and produced the inimitable Commentaries of Blackstone.

In the department of the Chancery, a similar progress has taken place. Ld. Kaim has given us the first digest of the principles of that branch of our jurisprudence, more valuable for the arrangement of matter; than for it's exact conformity with the English decisions. The Reporters from the early time of that branch to that of the same Matthew Bacon are well digested, but alphabetically also, in the Abridgment of the Cases in Equity, the 2d volume of which is said to have been done by him. This was followed by a number of able reporters of which Fonblanque has given us a summary digest by commentaries on the text of the earlier work, ascribed to Ballow, entitled 'a Treatise of equity.' The course of reading recommended then in these two branches of Law is the following.

Common Law. Coke's institutes.
- Select cases from the subsequent reporters to the time of Matthew Bacon.
- Bacon's Abridgement.
- Select cases from the subsequent reporters to the present time.
- Select tracts on Law, among which those of Baron Gilbert are all of the first merit.
- The Virginia laws. Reports on them.

Chancery. Ld Kaim's principles of Equity. 3d edition.
- Select cases from the Chancery reporters to the time of Matthew Bacon.
- The Abridgment of Cases in Equity.
- Select cases from the subsequent reporters to the present day.
- Fonblanque's Treatise of equity.

fected, but I should have thought the motions of the enemy long enough known, and their object probable enough to have called the well affected counties of Virginia & Maryland into place. Nobody who knows the President can doubt but that he has hon-

Blackstone's Commentaries (Tucker's edition) as the last perfect digest of both branches of law.

In reading the Reporters, enter in a common-place book every case of value, condensed into the narrowest compass possible which will admit of presenting distinctly the principles of the case. This operation is doubly useful, inasmuch as it obliges the student to seek out the pith of the case, and habituates him to a condensation of thought, and to an acquisition of the most valuable of all talents, that of never using two words where one will do. It fixes the case too more indelibly in the mind.

From XII to I. Read Politics.

Politics, general. Locke on government. Sidney on Government. Priestley's First principles of Government. Review of Montesquieu's Spirit of Laws. Anon.

De Lolme sur la constitution d'Angleterre. De Burgh's Political disquisitions.

Hatsell's Precedents of the H. of Commons. Select Parliam^{y} debates on England & Ireland.

Chipman's Sketches of the principles of government. The Federalist.

Political Economy. Say's Economie Politique. Malthus on the principles of population.

Tracy's work on Political Economy. *Now* about to be printed (1814).

In the AFTERNOON. Read History.

History. Antient the Greek and Latin originals.

Select histories from the Universal history. Gibbon's Decline of the Roman Empire.

Histoire Ancienne de Millot.

Modern. Histoire moderne de Millot. Russell's History of Modern Europe; Robertson's Charles V.

English. The original historians, to wit. The Hist. of Ed. II. by E. F. Habington's E. IV. More's R. III. Ld. Bacon's H. VIII. Ld. Herbert's H. VIII. Goodwin's H. VIII. E. VI. Mary. Cambden's Eliz. & James. Ludlow. McCaulay. Fox. Belsham. Baxter's Hist. of England. (Hume republicanised & abridged) Robertson's Hist. of Scotland.

American. Robertson's History of America.

Gordon's History of the independence of the U. S.

Ramsay's Hist. of the Amer. Revolution. Burke's Hist of Virginia. Continuation of do. by Jones and Girardin nearly ready for the press.

estly done everything he could to the best of his judgment. And there is no sounder judgment than his. I cannot account for what has happened but by giving credit to the rumors which circulate against Armstrong, who is presumptuous, obstinate & injudicious. I should hope the law would lay hold of Sims &c. if it could lay hold of anything after the experiment on Burr. But Congress itself can punish Alexandria, by repealing the law which made it a town, by discontinuing it as a port of entry or clearance, and perhaps by suppressing it's banks. But I expect all will go off with impunity. If our government ever fails, it will be from this weakness. No government can be maintained without the principle of fear as well as of duty. Good men will obey the last, but bad ones the former only. Our county is a desert. None are to be met in the roads but grayheads. About 800 men are gone from it, & chiefly volunteers. But I fear they cannot be armed. I think the truth must now be obvious that our people are too happy at home to enter into regular service, and that

From Dark to Bed-time. Belles lettres, criticism, Rhetoric, Oratory, to wit.

Belles lettres. Read the best of the poets, epic, didactic, dramatic, pastoral, lyric &c. But among these Shakespeare must be singled out by one who wishes to learn the full powers of the English language. Of him we must advise as Horace did of the Grecian models, 'vos exemplaria Graeca Nocturna versate manu, diversate diurna.'

Criticism. Ld Kaim's Elements of criticism. Tooke's Diversions of Purley. Of Bibliographical criticism the Edinbg Review furnishes the finest models extant.

Rhetoric. Blair's lectures on Rhetoric. Sheridan on Elocution. Mason on Poetic and Prosaic numbers.

Oratory. This portion of time (borrowing some of the afternoon when the days are long and the nights short) is to be applied to acquiring the art of writing & speaking correctly by the following exercises. Criticise the style of any books whatever, committing your criticisms to writing. Translate into the different styles, to wit, the elevated, the middling and the familiar. Orators and poets will furnish subjects of the first, historians of the second, & epistolary and Comic writers of the third— Undertake, at first, short compositions, as themes, letters &c., paying great attention to the correctness and elegance of your language. Read the Orations of Demosthenes & Cicero. Analyse these orations, and examine the correctness of the disposition, language, figures, states of the cases, arguments &c. Read good samples of English eloquence, some of these may be found in Small's American speaker, and some in

we cannot be defended but by making every citizen a souldier, as the Greeks & Romans who had no standing armies, & that in doing this all must be marshalled, classed by their ages, & every service ascribed to it's competent class. Ever affectionately yours.

TO SAMUEL H. SMITH. J. MSS.

MONTICELLO, September 21, 1814.

DEAR SIR,—I learn from the newspapers that the Vandalism of our enemy has triumphed at Washington over science as well as the arts, by the destruction of the public library with the noble edifice in which it was deposited. Of this transaction, as of that of Copenhagen, the world will entertain but one sentiment. They will see a nation suddenly withdrawn from a great war, full armed and full handed, taking advantage of another whom they had recently forced into it, unarmed, and unprepared,

Carey's Criminal Recorder, in which last the defence of Eugene Aram is distinguishable as a model of logic, condensation of matter, & classical purity of style. Exercise yourself afterwards in preparing orations on feigned cases. In this observe rigorously the disposition of Blair into Introduction, Narration &c. Adapt your language & figures to the several parts of the oration, and suit your arguments to the audience before whom it is supposed to be spoken. This is your last and most important exercise. No trouble should therefore be spared. If you have any person in your neighborhood engaged in the same study, take each of you different sides of the same cause, and prepare pleadings, according to the custom of the bar, where the pl. opens, the def. answers and the pl. replies. It would farther be of great service to pronounce your orations (having only before you only short notes to assist the memory) in the presence of some person who may be considered as your judge.

NOTE. Under each of the preceding heads, the books are to be read in the order in which they are named. These by no means constitute the whole of what might be usefully read in each of these branches of science. The mass of excellent works going more into detail is great indeed. But those here noted will enable the student to select for himself such others of detail as may suit his particular views and dispositions. They will give him a respectable, an useful & satisfactory degree of knolege in these branches, and will themselves form a valuable and sufficient library for a lawyer, who is at the same time a lover of science."

to indulge themselves in acts of barbarism which do not belong to a civilized age. When Van Ghent destroyed their shipping at Chatham, and De Ruyter rode triumphantly up the Thames, he might in like manner, by the acknowledgment of their own historians, have forced all their ships up to London bridge, and there have burnt them, the tower, and city, had these examples been then set. London, when thus menaced, was near a thousand years old, Washington is but in its teens.

I presume it will be among the early objects of Congress to re-commence their collection. This will be difficult while the war continues, and intercourse with Europe is attended with so much risk. You know my collection, its condition and extent. I have been fifty years making it, and have spared no pains, opportunity or expense, to make it what it is. While residing in Paris, I devoted every afternoon I was disengaged, for a summer or two, in examining all the principal bookstores, turning over every book with my own hand, and putting by everything which related to America, and indeed whatever was rare and valuable in every science. Besides this, I had standing orders during the whole time I was in Europe, on its principal book-marts, particularly Amsterdam, Frankfort, Madrid and London, for such works relating to America as could not be found in Paris. So that in that department particularly, such a collection was made as probably can never again be effected, because it is hardly probable that the same opportunities, the same time, industry, perseverance and expense, with some knowledge of the bibliography of the subject, would again happen to be in concurrence. During the same period, and after my return to America, I was led to procure, also, whatever related to the duties of those in the high concerns of the nation. So that the collection, which I suppose is of between nine and ten thousand volumes, while it includes what is chiefly valuable in science and literature generally, extends more particularly to whatever belongs to the American statesman. In the diplomatic and parliamentary branches, it is particularly full. It is long since I have been sensible it ought not to continue private property, and had provided that at my death, Congress should have the refusal of it at their own price. But the loss they have now incurred, makes the present the

proper moment for their accommodation, without regard to the small remnant of time and the barren use of my enjoying it. I ask of your friendship, therefore, to make for me the tender of it to the library committee of Congress, not knowing myself of whom the committee consists. I enclose you the catalogue, which will enable them to judge of its contents. Nearly the whole are well bound, abundance of them elegantly, and of the choicest editions existing. They may be valued by persons named by themselves, and the payment made convenient to the public. It may be, for instance, in such annual instalments as the law of Congress has left at their disposal, or in stock of any of their late loans, or of any loan they may institute at this session, so as to spare the present calls of our country, and await its days of peace and prosperity. They may enter, nevertheless, into immediate use of it, as eighteen or twenty wagons would place it in Washington in a single trip of a fortnight. I should be willing indeed, to retain a few of the books, to amuse the time I have yet to pass, which might be valued with the rest, but not included in the sum of valuation until they should be restored at my death, which I would carefully provide for, so that the whole library as it stands in the catalogue at this moment should be theirs without any garbling. Those I should like to retain would be chiefly classical and mathematical. Some few in other branches, and particularly one of the five encyclopedias in the catalogue. But this, if not acceptable, would not be urged. I must add, that I have not revised the library since I came home to live, so that it is probable some of the books may be missing, except in the chapters of Law and Divinity, which have been revised and stand exactly as in the catalogue. The return of the catalogue will of course be needed, whether the tender be accepted or not. I do not know that it contains any branch of science which Congress would wish to exclude from their collection; there is, in fact, no subject to which a member of Congress may not have occasion to refer. But such a wish would not correspond with my views of preventing its dismemberment. My desire is either to place it in their hands entire, or to preserve it so here. I am engaged in making an alphabetical index of the author's names, to be annexed to the catalogue, which I will for-

ward to you as soon as completed. Any agreement you shall be so good as to take the trouble of entering into with the committee, I hereby confirm.. Accept the assurance of my great esteem and respect.

TO JAMES MONROE. J. MSS.

MONTICELLO, Sep. 24, 14.

DEAR SIR,—The events which have lately taken place at Washington, & which truly disgrace our enemies much more than us, have occupied you too much to admit intrusions by private & useless letters. You seem indeed to have had your hands full with the duties of the field and the double duties of the Cabinet. The success of McDonough has been happily timed to dispel the gloom of your present meeting, and to open the present session of Congress with hope and good humor. To add however to our embarrassments, it happens to be the moment when the general bankruptcy comes upon us, which has been so long and so certainly impending. The banks declare they will not pay their bills which is sufficiently understood to mean that they cannot. Altho' this truth has been long expected, yet their own declaration was wanting to fix the moment of insolvency. Their paper is now offered doubtingly, received by some merely from the total absence of all other medium of payment, and absolutely rejected by others; and in no case will a half-disme of cash be given in change. The annihilation of these institutions has come on us suddenly therefore, which I had thought should be suppressed, but gradatim only, in order to prevent, as much as possible, the crush of private fortunes. This catastrophe happening just as our legislature was about to meet, a member of it requested my thoughts on the occasion. These I have expressed in the inclosed letter, and as it forms a sequel to those I had lent you before, I send it for your perusal. Altho' I am not willing they should be handed about promiscuously to friend and foe, yet if the communication of them to particular and confidential characters can do any good, I should leave that to your discretion, and only ask their return as soon as that shall have been done. Having learnt by the public papers the loss of the library of Congress, I have sent my catalogue to S.

H. Smith with an offer of the whole collection, as it stands, to the library committee, to be valued by persons named by themselves, delivered immediately and paid for in such stock, or otherwise, & at such epoch as they may chuse after the days of peace & prosperity shall have returned. You know the general condition of the books, & can give them information should they ask any. I salute you always with sincere affection & respect.

TO JAMES MADISON. J. MSS.

MONTICELLO, October 15, 1814.

DEAR SIR,—I thank you for the information of your letter of the 10th. It gives, at length, a fixed character to our prospects. The war, undertaken, on both sides, to settle the questions of impressment, and the orders of council, now that these are done away by events, is declared by Great Britain to have changed its object, and to have become a war of conquest, to be waged until she conquers from us our fisheries, the province of Maine, the lakes, States and territories north of the Ohio, and the navigation of the Mississippi; in other words, till she reduces us to unconditional submission. On our part, then, we ought to propose, as a counterchange of object, the establishment of the meridian of the mouth of the Sorel northwardly, as the western boundary of all her possessions. Two measures will enable us to effect it, and without these, we cannot even defend ourselves. 1. To organize the militia into classes, assigning to each class the duties for which it is fitted, (which, had it been done when proposed, years ago, would have prevented all our misfortunes,) abolishing by a declaratory law the doubts which abstract scruples in some, and cowardice and treachery in others, have conjured up about passing imaginary lines, and limiting, at the same time, their services to the *contiguous* provinces of the enemy. The 2d is the ways and means. You have seen my ideas on this subject, and I shall add nothing but a rectification of what either I have ill expressed, or you have misapprehended. If I have used any expression restraining the emissions of treasury notes to a *sufficient* medium, as your letter seems to imply, I have done it inadvertently, and under the impression then possessing me, that the

war would be very short. A *sufficient* medium would not, on the principles of any writer, exceed thirty millions of dollars, and on those of some not ten millions. Our experience has proved it may be run up to two or three hundred millions, without more than doubling what would be the prices of things under a *sufficient* medium, or say a metallic one, which would always keep itself at the *sufficient* point; and, if they rise to this term, and the descent from it be gradual, it would not produce sensible revolutions in private fortunes. I shall be able to explain my views more definitely by the use of numbers. Suppose we require, to carry on the war, an annual loan of twenty millions, then I propose that, in the first year, you shall lay a tax of two millions, and emit twenty millions of treasury notes, of a size proper for circulation, and bearing no interest, to the redemption of which the proceeds of that tax shall be inviolably pledged and applied, by recalling annually their amount of the identical bills funded on them. The second year lay another tax of two millions, and emit twenty millions more. The third year the same, and so on, until you have reached the maximum of taxes which ought to be imposed. Let me suppose this maximum to be one dollar a head, or ten millions of dollars, merely as an exemplification more familiar than would be the algebraical symbols x or y. You would reach this in five years. The sixth year, then, still emit twenty millions of treasury notes, and continue all the taxes two years longer. The seventh year twenty millions more, and continue the whole taxes another two years; and so on. Observe, that although you emit twenty millions of dollars a year, you call in ten millions, and, consequently, add but ten millions annually to the circulation. It would be in thirty years, then, *primâ facie*, that you would reach the present circulation of three hundred millions, or the ultimate term to which we might adventure. But observe, also, that in that time we shall have become thirty millions of people to whom three hundred millions of dollars would be no more than one hundred millions to us now; which sum would probably not have raised prices more than fifty per cent. on what may be deemed the standard, or metallic prices. This increased population and consumption, while it would be increasing the proceeds of the redemption tax, and lessening the balance annually thrown into circulation,

would also absorb, without saturation, more of the surplus medium, and enable us to push the same process to a much higher term, to one which we might safely call indefinite, because extending so far beyond the limits, either in time or expense, of any supposable war. All we should have to do would be, when the war should be ended, to leave the gradual extinction of these notes to the operation of the taxes pledged for their redemption; not to suffer a dollar of paper to be emitted either by public or private authority, but let the metallic medium flow back into the channels of circulation, and occupy them until another war should oblige us to recur, for its support, to the same resource, and the same process, on the circulating medium.

The citizens of a country like ours will never have unemployed capital. Too many enterprises are open, offering high profits, to permit them to lend their capitals on a regular and moderate interest. They are too enterprising and sanguine themselves not to believe they can do better with it. I never did believe you could have gone beyond a first or a second loan, not from a want of confidence in the public faith, which is perfectly sound, but from a want of disposable funds in individuals. The circulating fund is the only one we can ever command with certainty. It is sufficient for all our wants; and the impossibility of even defending the country without its aid as a borrowing fund, renders it indispensable that the nation should take and keep it in their own hands, as their exclusive resource.

I have trespassed on your time so far, for explanation only. I will do it no further than by adding the assurances of my affectionate and respectful attachment.

Years.	Emissions.	Taxes & Redemptions.	Bal. in circulation at end of year.
1815	20 millions	2 millions	18 millions.
1816	20 "	4 "	34 "
1817	20 "	6 "	48 "
1818	20 "	8 "	60 "
1819	20 "	10 "	70 "
1820	20 "	10 "	80 "
1821	20 "	10 "	90 "
	140		

Suppose the war to terminate here, to wit, at the end of seven years, the reduction will proceed as follows:

Years.	Taxes & Redemptions.	Bal. in cir. at end of year.
1822	10 millions	80 millions
1823	10 "	70 "
1824	10 "	60 "
1825	10 "	50 "
1826	10 "	40 "
1827	10 "	30 "
1828	10 "	20 "
1829	10 "	10 "
1830	10 "	0 "
	140	

This is a tabular statement of the amount of emissions, taxes, redemptions, and balances left in circulation every year, on the plan above sketched.

TO JAMES MONROE.

J. MSS.

MONTICELLO, October 16, 1814.

DEAR SIR,—Your letter of the 10th has been duly received. The objects of our contest being thus entirely changed by England, we must prepare for interminable war. To this end we should put our house in order, by providing men and money to indefinite extent. The former may be done by classing our militia, and assigning each class to the description of duties for which it is fit. It is nonsense to talk of regulars. They are not to be had among a people so easy and happy at home as ours. We might as well rely on calling down an army of angels from heaven. I trust it is now seen that the refusal to class the militia, when proposed years ago, is the real source of all our misfortunes in this war. The other great and indispensable object is to enter on such a system of finance, as can be permanently pursued to any length of time whatever. Let us be allured by no projects of banks, public or private, or ephemeral expedients, which, enabling us to gasp and flounder a little longer, only increase, by protracting the agonies of death.

Perceiving, in a letter from the President, that either I had ill

expressed my ideas on a particular part of this subject, in the letters I sent you, or he had misapprehended them, I wrote him yesterday an explanation; and as you have thought the other letters worth a perusal, and a communication to the Secretary of the Treasury, I enclose you a copy of this, lest I should be misunderstood by others also. Only be so good as to return me the whole when done with, as I have no other copies.

Since writing the letter now enclosed, I have seen the Report of the committee of finance, proposing taxes to the amount of twenty millions. This is a dashing proposition. But, if Congress pass it, I shall consider it sufficient evidence that their constituents generally can pay the tax. No man has greater confidence than I have, in the spirit of the people, to a rational extent. Whatever they can, they will. But, without either market or medium, I know not how it is to be done. All markets abroad, and all at home, are shut to us; so that we have been feeding our horses on wheat. Before the day of collection, bank-notes will be but as oak leaves; and of specie, there is not within all the United States, one-half of the proposed amount of the taxes. I had thought myself as bold as was safe in contemplating, as possible, an annual taxation of ten millions, as a fund for emissions of treasury notes; and, when further emissions should be necessary, that it would be better to enlarge the time, than the tax for redemption. Our position, with respect to our enemy, and our markets, distinguishes us from all other nations; inasmuch as a state of war, with us, annihilates in an instant all our surplus produce, that on which we depended for many comforts of life. This renders peculiarly expedient the throwing a part of the burdens of war on times of peace and commerce. Still, however, my hope is that others see resources, which, in my abstraction from the world, are unseen by me; that there will be both market and medium to meet these taxes, and that there are circumstances which render it wiser to levy twenty millions at once on the people, than to obtain the same sum on a tenth of the tax.

I enclose you a letter of Colonel James Lewis, now of Tennessee, who wishes to be appointed Indian agent, and I do it lest he should have relied solely on this channel of communication. You know him better than I do, as he was long your agent. I have

always believed him an honest man, and very good-humored and accommodating. Of his other qualifications for the office, you are the best judge. Believe me to be ever affectionately yours.

TO JOSEPH MILLIGAN. J. MSS.

MONTICELLO Oct. 17. 14.

DEAR SIR,—Your letters of Sep. 24. & Oct. 12. have been duly received. The packet of books will probably come on by the next stage. By the present one I send to the care of Mr. Gray of Fredericksburg a packet of 6. vols, which though made up of 4. different works, I wish to have bound as one work in 6. vols, to be labelled on the back 'The Book of Kings.' The 1st & 2d vols. will be composed of the Memoirs of Bareuth, the binding to remain as it is, only changing the label. The Memoirs of Made. La Motte will make the 3d & 4th vols, pared down to the size of the first & bound uniform with them. Mrs. Clarke's will be the 5th vol. pared & bound as before, and 'the Book' will make the 6th which to be uniform in size with the rest, must perhaps be left with it's present rough edges. Pray do it immediately and return it by the stage that they may be replaced on the shelves should Congress take my library, the proposition for which is before them. I mentioned to you the work on political economy by Tracy which had been translated by Genl. Duane, but could not be printed by him. I then wrote & offered it to Mr. Ritchie, from whom I had not received an answer when you were here, and I consulted you as to the allowance which ought to be made by Ritchie to Duane. Ritchie declines printing it, and I now inclose you a copy of my letter to him, which I will pray you to consider as now addressed to yourself, but to be returned to me, as I have no other copy. I shall be very glad if you will undertake the printing it, and I think it the best work ever written on the subject, and that you might count on a great sale of it to the members of Congress. Answer me as soon as you can if you please, because I have not yet answered Duane's letter. The moment you say you will undertake it & specify the allowance for translating, I will have the MSS. brought on. I will correct the translation here and for-

ward it to you sheet by sheet. When Congress return my Catalogue I will send that also to you to be printed. Accept assurances of my esteem & respect.

TO ALEXANDER DALLAS. J. MSS.

MONTICELLO Dec. 7. 14.

DEAR SIR,—I tender my sincere congratulations on the occasion of your counsel and services being engaged for the public, and trust they will feel their benefit. The department to which you are called is the most arduous now in our government, and is that on which every other depends for it's motion. Were our commerce open, no degree of contribution would be felt, but shut up as it is, the call on the people for taxes is truly a call for bricks without straw, in this state especially where we are feeding our horses with wheat as the cheapest forage; 50 cents being it's price thro' the middle country.

On the adoption of the land tax of the last year, an office of Assessor was established in every district, with power to determine what every land owner should pay, by his own judgment & without appeal. This important power could not fail to interest us highly, in the choice of the person vested with it. On a consultation with most of the principal persons in our quarter, there was but one opinion as to the fittest man in our district. All agreed that in the hands of a Mr. Peter Minor they would be safe, his ability, his judgment & independence being a sufficient security. I took the liberty therefore of writing to the President and to Mr. Campbell recommending this appointment. We were told soon after that it had been given to a Mr. Armstead of a neighboring county. This was given out by himself and Mr. Garland (formerly a member of Congress) whose protege Armstead is. The Assumption of the land tax by the state prevented further interest in the case. We now learn he had not the appointment and is now going on for it. If there be a better man than Minor we wish his appointment, but as to Mr. Armstead all agree he is the weakest & laziest man that could be found. Some believe him honest, others very openly deny it. Of his character however I have nothing personally, stating what I do from the information of

others. Colo. Monroe, I think, knows Minor personally, & the President knows his family, it's standing & character. He is nephew to Genl. Minor of Fredericksburg. The Collector being of this county (Albemarle) the principle of distribution might be supposed to require the Assessor from a different one. This principle may weigh between candidates of equal merit: but it cannot make the worse the better man, nor remedy the evils of an incorrect agent. The importance of this appointment towards a just apportionment of the public burthens & one which will probably be permanent, will I hope excuse my expressing to the government my own sense of it, and that of the most respectable persons of our quarter, with an assurance nevertheless, of our entire confidence that whatever appointment the government shall make will be founded in the best motives: and I avail myself of this occasion of assuring you of my great esteem & respect.

TO JAMES MONROE. J. MSS.

MONTICELLO, January 1, 1815.

DEAR SIR,—Your letters of November the 30th and December the 21st have been received with great pleasure. A truth now and then projecting into the ocean of newspaper lies, serves like head-lands to correct our course. Indeed, my scepticism as to everything I see in a newspaper, makes me indifferent whether I ever see one. The embarrassments at Washington, in August last, I expected would be great in any state of things; but they proved greater than expected. I never doubted that the plans of the President were wise and sufficient. Their failure we all impute, 1, to the insubordinate temper of Armstrong; and 2, to the indecision of Winder. However, it ends well. It mortifies ourselves, and so may check, perhaps, the silly boasting spirit of our newspapers, and it enlists the feelings of the world on our side; and the advantage of public opinion is like that of the weather-gauge in a naval action. In Europe, the transient possession of our Capital can be no disgrace. Nearly every Capital there was in possession of its enemy; some often and long. But diabolical as they paint that enemy, he burnt neither public edifices nor private dwellings. It was reserved for England to show

that Bonaparte, in atrocity, was an infant to their ministers and their generals. They are taking his place in the eyes of Europe, and have turned into our channel all its good will. This will be worth the million of dollars the repairs of their conflagration will cost us. I hope that to preserve this weather-gauge of public opinion, and to counteract the slanders and falsehoods disseminated by the English papers, the government will make it a standing instruction to their ministers at foreign courts, to keep Europe truly informed of occurrences here, by publishing in their papers the naked truth always, whether favorable or unfavorable. For they will believe the good, if we candidly tell them the bad also.

But you have two more serious causes of uneasiness; the want of men and money. For the former, nothing more wise or efficient could have been imagined than what you proposed. It would have filled our ranks with regulars, and that, too, by throwing a just share of the burthen on the purses of those whose persons are exempt either by age or office; and it would have rendered our militia, like those of the Greeks and Romans, a nation of warriors. But the go-by seems to have been given to your proposition, and longer sufferance is necessary to force us to what is best. We seem equally incorrigible to our financial course. Although a century of British experience has proved to what a wonderful extent the funding on specific redeeming taxes enables a nation to anticipate in war the resources of peace, and although the other nations of Europe have tried and trodden every path of force or folly in fruitless quest of the same object, yet *we* still expect to find in juggling tricks and banking dreams, that money can be made out of nothing, and in sufficient quantity to meet the expenses of a heavy war by sea and land. It is said, indeed, that money cannot be borrowed from our merchants as from those of England. But it can be borrowed from our people. They will give you all the necessaries of war they produce, if, instead of the bankrupt trash they now are obliged to receive for want of any other, you will give them a paper promise funded on a specific pledge, and of a size for common circulation. But you say the merchants will not take this paper. What the people take the merchants must take or sell nothing. All these doubts and fears prove only the extent of the dominion which

the banking institutions have obtained over the minds of our citizens, and especially of those inhabiting cities or other banking places; and this dominion must be broken, or it will break us. But here, as in the other case, we must make up our minds to suffer yet longer before we can get right. The misfortune is, that in the meantime we shall plunge ourselves in unextinguishable debt, and entail on our posterity an inheritance of eternal taxes, which will bring our government and people into the condition of those of England, a nation of pikes and gudgeons, the latter bred merely as food for the former. But, however these difficulties of men and money may be disposed of, it is fortunate that neither of them will affect our war by sea. Privateers will find their own men and money. Let nothing be spared to encourage them. They are the dagger which strikes at the heart of the enemy, their commerce. Frigates and seventy-fours are a sacrifice we must make, heavy as it is, to the prejudices of a part of our citizens. They have, indeed, rendered a great moral service, which has delighted me as much as any one in the United States. But they have had no physical effect sensible to the enemy; and now, while we must fortify them in our harbors, and keep armies to defend them, our *privateers* are bearding and blockading the enemy in their own seaports. Encourage them to burn all their prizes, and let the public pay for them. They will cheat us enormously. No matter; they will make the merchants of England feel, and squeal, and cry out for peace.

I much regretted your acceptance of the war department. Not that I know a person who I think would better conduct it. But, conduct it ever so wisely, it will be a sacrifice of yourself. Were an angel from Heaven to undertake that office, all our miscarriages would be ascribed to him. Raw troops, no troops, insubordinate militia, want of arms, want of money, want of provisions, all will be charged to want of management in you. I speak from experience, when I was Governor of Virginia. Without a regular in the State, and scarcely a musket to put into the hands of the militia, invaded by two armies, Arnold's from the sea-board and Cornwallis' from the southward, when we were driven from Richmond aud Charlottesville, and every member of my council fled from their homes, it was not the total destitution of means,

but the mismanagement of them, which, in the querulous voice of the public, caused all our misfortunes. It ended, indeed, in the capture of the whole hostile force, but not till means were brought us by General Washington's army, and the French fleet and army. And although the legislature, who were personally intimate with both the means and measures, acquitted me with justice and thanks, yet General Lee has put all those imputations among the romances of his historical novel, for the amusement of credulous and uninquisitive readers. Not that I have seen the least disposition to censure you. On the contrary, your conduct on the attack of Washington has met the praises of every one, and your plan for regulars and militia, their approbation. But no campaign is as yet opened. No generals have yet an interest in shifting their own incompetence on you, no army agents their rogueries. I sincerely pray you may never meet censure where you will deserve most praise, and that your own happiness and prosperity may be the result of your patriotic services.

Ever and affectionately yours.

TO JOSEPH C. CABELL. J. MSS.

MONTICELLO Jan. 5. 15.

DEAR SIR,—Your favor of Dec. 27 with the letter inclosed, has been received. Knowing well that the bank-mania still possesses the great body of our countrymen, it was not expected that any radical cure of that could be at once effected. We must go further wrong, probably to a ne plus ultra before we shall be forced into what is right. Something will be obtained however, if we can excite, in those who think, doubt first, reflexion next, and conviction at last. The constitution too presents difficulties here with which the general government is not embarrassed. If your Auditor's notes are made payable to bearer, and of sizes suitable for circulation, they will find their way into circulation, as well as into the hoards of the thrifty. Especially in important payments for land &c which are to lie on hand some time waiting for employment. A bank-note is now received only as a 'Robin's alive.'

On Mr. Ritchie's declining the publication of Tracy's work, I

proposed it to a Mr. Milligan of Georgetown who undertakes it. I had therefore written to Genl. Duane to forward it to him; so that it will not be in my possession until it is published. Have you seen the Review of Montesquieu by an anonymous author? The ablest work of the age. It was translated and published by Duane about 3. years ago. In giving the most correct analysis of the principles of political association which has yet been offered, he states, in the branch of political economy particularly, altho' much is brief, some of the soundest and most profound views we have ever had on those subjects. I have lately received a letter from Say. He has in contemplation to remove to this country, and to this neighborhood particularly; and asks from me answers to some enquiries he makes. Could the petition which the Albemarle academy addressed to our legislature have succeeded at the late session a little aid additional to the objects of that would have enabled us to have here immediately the best seminary of the US. I do not know to whom P. Carr (President of the board of trustees) committed the petition and papers; but I have seen no trace of their having been offered. Thinking it possible you may not have seen them, I send for your perusal the copies I retained for my own use. They consist 1. of a letter to him, sketching at the request of the trustees, a plan for the institution. 2. One to Judge Cooper in answer to some observations he had favored me with, on the plan. 3. A copy of the petition of the trustees. 4. A copy of the act we wished from the legislature. They are long. But, as we always counted on you as the main pillar of their support, and we shall probably return to the charge at the next session, the trouble of reading them will come upon you, and as well now as then. The lottery allowed by the former act, the proceeds of our two glebes, and our dividend of the literary fund, with the reorganization of the institution are what was asked in that petition. In addition to this if we could obtain a loan for 4. or 5. years only, of 7. or 8000 D. I think I have it now in my power to obtain three of the ablest characters in the world to fill the higher professorships of what in the plan is called the IId or General grade of education, three such characters as are not in a single university of Europe and for those of languages & Mathematics, a part of the same grade,

able professors doubtless could also be readily obtained. With these characters, I should not be afraid to say that the circle of the sciences composing that 2d or General grade, would be more profoundly taught here than in any institution in the US. and might I go farther.

The 1st or Elementary grade of education is not developed in this plan; an authority only being asked to it's Visitors for putting into motion a former proposition for that object. For an explanation of this therefore, I am obliged to add to these papers a letter I wrote some time since to Mr. Adams, in which I had occasion to give some account of what had been proposed here for culling from every condition of our people the natural aristocracy of talents & virtue, and of preparing it by education, at the public expence, for the care of the public concerns. This letter will present to you some measures still requisite to compleat & secure our republican edifice, and which remain in charge for our younger statesmen. On yourself, Mr. Rives, Mr. Gilmer, when they shall enter the public councils, I rest my hopes for this great accomplishment, and doubtless you will have other able coadjutors not known to me.

Colo. Randolph having gone to Richmond before the rising of the legislature, you will have had an opportunity of explaining to him personally the part of your letter respecting his petition for opening the Milton falls, which his departure prevented my communicating to him. I had not heard him speak of it, and had been glad, as to myself, by the act recently passed, to have saved our own rights in the defensive war with the Rivanna company, and should not have advised the renewing and carrying the war into the enemy's country.

Be so good as to return all the inclosed papers after perusal and to accept assurances of my great esteem & respect.

TO WILLIAM H. CRAWFORD. J. MSS.

(MINISTER TO FRANCE.)

MONTICELLO, February 11, 1815.

DEAR SIR,—I have to thank you for your letter of June 16th. It presents those special views of the state of things in Europe,

for which we look in vain into newspapers. They tell us only of the downfall of Bonaparte, but nothing of the temper, the views, the secret workings of the high agents in these transactions. Although we neither expected, nor wished any act of friendship from Bonaparte, and always detested him as a tyrant, yet he gave employment to much of the force of the nation who was our common enemy. So far, his downfall was illy timed for us; it gave to England an opportunity to turn full-handed on us, when we were unprepared. No matter, we can beat her on our own soil, leaving the laws of the ocean to be settled by the maritime powers of Europe, who are equally oppressed and insulted by the usurpations of England on that element. Our particular and separate grievance is only the impressment of our citizens. We must sacrifice the last dollar and drop of blood to rid us of that badge of slavery; and it must rest with England alone to say whether it is worth eternal war, for eternal it must be if she holds to the wrong. She will probably find that the six thousand citizens she took from us by impressment have already cost her ten thousand guineas a man, and will cost her, in addition, the half of that annually, during the continuance of the war, besides the captures on the ocean, and the loss of our commerce. She might certainly find cheaper means of manning her fleet, or, if to be manned at this expense, her fleet will break her down. The first year of our warfare by land was disastrous. Detroit, Queenstown, Frenchtown, and Beaver Dam, witness that. But the second was generally successful, and the third entirely so, both by sea and land. For I set down the *coup de main* at Washington as more disgraceful to England than to us. The victories of the last year at Chippewa, Niagara, Fort Erie, Plattsburg, and New Orleans, the capture of their two fleets on Lakes Erie and Champlain, and repeated triumphs of our frigates over hers, whenever engaging with equal force, show that we have officers now becoming prominent, and capable of making them feel the superiority of our means, in a war on our own soil. Our means are abundant both as to men and money, wanting only skilful arrangement; and experience alone brings skill. As to men, nothing wiser can be devised than what the Secretary at War (Monroe) proposed in his Report at the commencement of Congress. It would have kept

our regular army always of necessity full, and by classing our militia according to ages, would have put them into a form ready for whatever service, distant or at home, should require them. Congress have not adopted it, but their next experiment will lead to it. Our financial system is, at least, arranged. The fatal possession of the whole circulating medium by our banks, the excess of those institutions, and their present discredit, cause all our difficulties. Treasury notes of small as well as high denomination, bottomed on a tax which would redeem them in ten years, would place at our disposal the whole circulating medium of the United States; a fund of credit sufficient to carry us through any probable length of war. A small issue of such paper is now commencing. It will immediately supersede the bank paper; nobody receiving that now but for the purposes of the day, and never in payments which are to lie by for any time. In fact, all the banks having declared they will not give cash in exchange for their own notes, these circulate merely because there is no other medium of exchange. As soon as the treasury notes get into circulation, the others will cease to hold any competition with them. I trust that another year will confirm this experiment, and restore this fund to the public, who ought never more to permit its being filched from them by private speculators and disorganizers of the circulation.

Do they send you from Washington the Historical Register of the United States? It is published there annually, and gives a succinct and judicious history of the events of the war, not too long to be inserted in the European newspapers, and would keep the European public truly informed, by correcting the lying statements of the British papers. It gives, too, all the public documents of any value. Niles' Weekly Register is also an excellent repository of facts and documents, and has the advantage of coming out weekly, whereas the other is yearly.

This will be handed you by Mr. Ticknor, a young gentleman of Boston, of high education and great promise. After going through his studies here, he goes to Europe to finish them, and to see what is to be seen there. He brought me high recommendations from Mr. Adams and others, and from a stay of some days with me, I was persuaded he merited them, as he will whatever

attentions you will be so good as to show him. I pray you to accept the assurance of my great esteem and respect.

P. S. *February 26th.* On the day of the date of this letter the news of peace reached Washington, and this place two days after. I am glad of it, although no provision being made against the impressment of our seamen, it is in fact but an armistice, to be terminated by the first act of impressment committed on an American citizen. It may be thought that useless blood was spilt at New Orleans, after the treaty of peace had been actually signed and ratified. I think it had many valuable uses. It proved the fidelity of the Orleanese to the United States. It proved that New Orleans can be defended both by land and water; that the western country will fly to its relief (of which ourselves had doubted before); that our militia are heroes when they have heroes to lead them on; and that, when unembarrassed by field evolutions, which they do not understand, their skill in the fire-arm, and deadly aim, give them great advantages over regulars. What nonsense for the manakin Prince Regent to talk of their conquest of the country east of the Penobscot river! Then, as in the revolutionary war, their conquests were never more than of the spot on which their army stood, never extended beyond the range of their cannon shot. If England is now wise or just enough to settle peaceably the question of impressment, the late treaty may become one of peace, and of long peace. We owe to their past follies and wrongs the incalculable advantage of being made independent of them for every material manufacture. These have taken such root, in our private families especially, that nothing now can ever extirpate them.

TO THE MARQUIS DE LAFAYETTE. J. MSS.

MONTICELLO, February 14, 1815.

MY DEAR FRIEND,—Your letter of August the 14th has been received and read again, and again, with extraordinary pleasure. It is the first glimpse which has been furnished me of the interior workings of the late unexpected but fortunate revolution of your country. The newspapers told us only that the great beast was

fallen; but what part in this the patriots acted, and what the egotists, whether the former slept while the latter were awake to their own interests only, the hireling scribblers of the English press said little and knew less. I see now the mortifying alternative under which the patriot there is placed, of being either silent, or disgraced by an association in opposition with the remains of Bonapartism. A full measure of liberty is not now perhaps to be expected by your nation, nor am I confident they are prepared to preserve it. More than a generation will be requisite, under the administration of reasonable laws favoring the progress of knowledge in the general mass of the people, and their habituation to an independent security of person and property, before they will be capable of estimating the value of freedom, and the necessity of a sacred adherence to the principles on which it rests for preservation. Instead of that liberty which takes root and growth in the progress of reason, if recovered by mere force or accident, it becomes, with an unprepared people, a tyranny still, of the many, the few, or the one. Possibly you may remember, at the date of the *jue de paume*, how earnestly I urged yourself and the patriots of my acquaintance, to enter then into a compact with the king, securing freedom of religion, freedom of the press, trial by jury, *habeas corpus*, and a national legislature, all of which it was known he would then yield, to go home, and let these work on the amelioration of the condition of the people, until they should have rendered them capable of more, when occasions would not fail to arise for communicating to them more. This was as much as I then thought them able to bear, soberly and usefully for themselves. You thought otherwise, and that the dose might still be larger. And I found you were right; for subsequent events proved they were equal to the constitution of 1791. Unfortunately, some of the most honest and enlightened of our patriotic friends, (but closet politicians merely, unpractised in the knowledge of man,) thought more could still be obtained and borne. They did not weigh the hazards of a transition from one form of government to another, the value of what they had already rescued from those hazards, and might hold in security if they pleased, nor the imprudence of giving up the certainty of such a degree of liberty, under a

limited monarch, for the uncertainty of a little more under the form of a republic. You differed from them. You were for stopping there, and for securing the constitution which the National Assembly had obtained. Here, too, you were right; and from this fatal error of the republicans, from their separation from yourself and the constitutionalists, in their councils, flowed all the subsequent sufferings and crimes of the French nation. The hazards of a second change fell upon them by the way. The foreigner gained time to anarchise by gold the government he could not overthrow by arms, to crush in their own councils the genuine republicans, by the fraternal embraces of exaggerated and hired pretenders, and to turn the machine of Jacobinism from the change to the destruction of order; and, in the end, the limited monarchy they had secured was exchanged for the unprincipled and bloody tyranny of Robespierre, and the equally unprincipled and maniac tyranny of Bonaparte. You are now rid of him, and I sincerely wish you may continue so. But this may depend on the wisdom and moderation of the restored dynasty. It is for them now to read a lesson in the fatal errors of the republicans; to be contented with a certain portion of power, secured by formal compact with the nation, rather than, grasping at more, hazard all upon uncertainty, and risk meeting the fate of their predecessor, or a renewal of their own exile. We are just informed, too, of an example which merits, if true, their most profound contemplation. The gazettes say that Ferdinand of Spain is dethroned, and his father re-established on the basis of their new constitution. This order of magistrates must, therefore, see, that although the attempts at reformation have not succeeded in their whole length, and some secession from the ultimate point has taken place, yet that men have by no means fallen back to their former passiveness, but on the contrary, that a sense of their rights, and a restlessness to obtain them, remain deeply impressed on every mind, and, if not quieted by reasonable relaxations of power, will break out like a volcano on the first occasion, and overwhelm everything again in its way. I always thought the present king an honest and moderate man; and having no issue, he is under a motive the less for yielding to personal considerations. I cannot, therefore, but hope, that the patriots in and out

of your legislature, acting in phalanx, but temperately and wisely, pressing unremittingly the principles omitted in the late capitulation of the king, and watching the occasions which the course of events will create, may get those principles engrafted into it, and sanctioned by the solemnity of a national act.

With us the affairs of war have taken the most favorable turn which was to be expected. Our thirty years of peace had taken off, or superannuated, all our revolutionary officers of experience and grade; and our first draught in the lottery of untried characters had been most unfortunate. The delivery of the fort and army of Detroit by the traitor Hull; the disgrace at Queenstown, under Van Rensellaer; the massacre at Frenchtown under Winchester; and surrender of Boerstler in an open field to one-third of his own numbers, were the inauspicious beginnings of the first year of our warfare. The second witnessed but the single miscarriage occasioned by the disagreement of Wilkinson and Hampton, mentioned in my letter to you of November the 30th, 1813, while it gave us the capture of York by Dearborne and Pike; the capture of Fort George by Dearborne also; the capture of Proctor's army on the Thames by Harrison, Shelby and Johnson, and that of the whole British fleet on Lake Erie by Perry. The third year has been a continued series of victories, to-wit: of Brown and Scott at Chippewa, of the same at Niagara; of Gaines over Drummond at Fort Erie; that of Brown over Drummond at the same place; the capture of another fleet on Lake Champlain by M'Donough; the entire defeat of their army under Prevost, on the same day, by M'Comb, and recently their defeats at New Orleans by Jackson, Coffee and Carroll, with the loss of four thousand men out of nine thousand and six hundred, with their two Generals, Packingham and Gibbs killed, and a third, Keane, wounded, mortally, as is said.

This series of successes has been tarnished only by the conflagration at Washington, a *coup de main* differing from that at Richmond, which you remember, in the revolutionary war, in the circumstance only, that we had, in that case, but forty-eight hours' notice that an enemy had arrived within our capes; whereas, at Washington, there was abundant previous notice. The force designated by the President was double of what was necessary;

but failed, as is the general opinion, through the insubordination of Armstrong, who would never believe the attack intended until it was actually made, and the sluggishness of Winder before the occasion, and his indecision during it. Still, in the end, the transaction has helped rather than hurt us, by arousing the general indignation of our country, and by marking to the world of Europe the Vandalism and brutal character of the English government. It has merely served to immortalize their infamy. And add further, that through the whole period of the war, we have beaten them single-handed at sea, and so thoroughly established our superiority over them with equal force, that they retire from that kind of contest, and never suffer their frigates to cruize singly. The Endymion would never have engaged the frigate President, but knowing herself backed by three frigates and a razee, who, though somewhat slower sailers, would get up before she could be taken. The disclosure to the world of the fatal secret that they can be beaten at sea with an equal force, the evidence furnished by the military operations of the last year that experience is rearing us officers who, when our means shall be fully under way, will plant our standard on the walls of Quebec and Halifax, their recent and signal disaster at New Orleans, and the evaporation of their hopes from the Hartford convention, will probably raise a clamor in the British nation, which will force their ministry into peace. I say *force* them, because, willingly, they would never be at peace. The British ministers find in a state of war rather than of peace, by riding the various contractors, and receiving *douceurs* on the vast expenditures of the war supplies, that they recruit their broken fortunes, or make new ones, and therefore will not make peace as long as by any delusions they can keep the temper of the nation up to the war point. They found some hopes on the state of our finances. It is true that the excess of our banking institutions, and their present discredit, have shut us out from the best source of credit we could ever command with certainty. But the foundations of credit still remain to us, and need but skill which experience will soon produce, to marshal them into an order which may carry us through any length of war. But they have hoped more in their Hartford convention. Their fears of republican France being now done away, they are directed to republican

America, and they are playing the same game for disorganization here, which they played in your country. The Marats, the Dantons and Robespierres of Massachusetts are in the same pay, under the same orders, and making the same efforts to anarchise us, that their prototypes in France did there.

I do not say that all who met at Hartford were under the same motives of money, nor were those of France. Some of them are Outs, and wish to be Inns; some the mere dupes of the agitators, or of their own party passions, while the Maratists alone are in the real secret; but they have very different materials to work on. The yeomanry of the United States are not the *canaille* of Paris. We might safely give them leave to go through the United States recruiting their ranks, and I am satisfied they could not raise one single regiment (gambling merchants and silk-stocking clerks excepted) who would support them in any effort to separate from the Union. The cement of this Union is in the heart-blood of every American. I do not believe there is on earth a government established on so immovable a basis. Let them, in any State, even in Massachusetts itself, raise the standard of separation, and its citizens will rise in mass, and do justice themselves on their own incendiaries. If they could have induced the government to some effort of suppression, or even to enter into discussion with them, it would have given them some importance, have brought them into some notice. But they have not been able to make themselves even a subject of conversation, either of public or private societies. A silent contempt has been the sole notice they excite; consoled, indeed, some of them, by the *palpable* favors of Philip. Have then no fears for us, my friend. The grounds of these exist only in English newspapers, endited or endowed by the Castlereaghs or the Cannings, or some other such models of pure and uncorrupted virtue. Their military heroes, by land and sea, may sink our oyster boats, rob our hen roosts, burn our negro huts, and run off. But a campaign or two more will relieve them from further trouble or expense in defending their American possessions.

You once gave me a copy of the journal of your campaign in Virginia, in 1781, which I must have lent to some one of the undertakers to write the history of the revolutionary war, and

REESE LIBRARY OF THE UNIVERSITY OF CALIFORNIA

forgot to reclaim. I conclude this, because it is no longer among my papers, which I have very diligently searched for it, but in vain. An author of real ability is now writing that part of the history of Virginia. He does it in my neighborhood, and I lay open to him all my papers. But I possess none, nor has he any, which can enable him to do justice to your faithful and able services in that campaign. If you could be so good as to send me another copy, by the very first vessel bound to any port in the United States, it might be here in time; for although he expects to begin to print within a month or two, yet you know the delays of these undertakings. At any rate it might be got in as a supplement. The old Count Rochambeau gave me also his *memoire* of the operations at York, which is gone in the same way, and I have no means of applying to his family for it. Perhaps you could render them as well as us, the service of procuring another copy.

I learn, with real sorrow, the deaths of Monsieur and Madame de Tessé. They made an interesting part in the idle reveries in which I have sometimes indulged myself, of seeing all my friends of Paris once more, for a month or two; a thing impossible, which, however, I never permitted myself to despair of. The regrets, however, of seventy-three at the loss of friends, may be the less, as the time is shorter within which we are to meet again, according to the creed of our education.

This letter will be handed you by Mr. Ticknor, a young gentleman of Boston, of great erudition, indefatigable industry, and preparation for a life of distinction in his own country. He passed a few days with me here, brought high recommendations from Mr. Adams and others, and appeared in every respect to merit them. He is well worthy of those attentions which you so kindly bestow on our countrymen, and for those he may receive I shall join him in acknowledging personal obligations.

I salute you with assurances of my constant and affectionate friendship and respect.

P. S. February 26th. My letter had not yet been sealed, when I received news of our peace. I am glad of it, and especially that we closed our war with the eclat of the action at New Orleans. But I consider it as an armistice only, because

no security is provided against the impressment of our seamen. While this is unsettled we are in hostility of mind with England, although actual deeds of arms may be suspended by a truce. If she thinks the exercise of this outrage is worth eternal war, eternal war it must be, or extermination of the one or the other party. The first act of impressment she commits on an American, will be answered by reprisal, or by a declaration of war here; and the interval must be merely a state of preparation for it. In this we have much to do, in further fortifying our seaport towns, providing military stores, classing and disciplining our militia, arranging our financial system, and above all, pushing our domestic manufactures, which have taken such root as never again can be shaken. Once more, God bless you.

TO JAMES MADISON. J. MSS.

MONTICELLO, March 23, 1815.

DEAR SIR,—I duly received your favor of the 12th, and with it the pamphlet on the causes and conduct of the war, which I now return. I have read it with great pleasure, but with irresistible desire that it should be published. The reasons in favor of this are strong, and those against it are so easily gotten over, that there appears to me no balance between them. 1. We need it in Europe. They have totally mistaken our character. Accustomed to rise at a feather themselves, and to be always fighting, they will see in our conduct, fairly stated, that acquiescence under wrong, to a certain degree, is wisdom, and not pusillanimity; and that peace and happiness are preferable to that false honor which, by eternal wars, keeps their people in eternal labor, want, and wretchedness. 2. It is necessary for the people of England, who have been deceived as to the causes and conduct of the war, and do not entertain a doubt, that it was entirely wanton and wicked on our part, and under the order of Bonaparte. By rectifying their ideas, it will tend to that conciliation which is absolutely necessary to the peace and prosperity of both nations. 3. It is necessary for our own people, who, although they have known the details as they went along, yet have been so plied with false facts and false views by the federalists, that some impression

has been left that all has not been right. It may be said that it will be thought unfriendly. But truths necessary for our own character, must not be suppressed out of tenderness to its calumniators. Although written, generally, with great moderation, there may be some things in the pamphlet which may perhaps irritate. The characterizing every act, for example, by its appropriate epithet, is not necessary to show its deformity to an intelligent reader. The naked narrative will present it truly to his mind, and the more strongly, from its moderation, as he will perceive that no exaggeration is aimed at. Rubbing down these roughnesses, and they are neither many nor prominent, and preserving the original date, might, I think, remove all the offensiveness, and give more effect to the publication. Indeed, I think that a soothing postscript, addressed to the interests, the prospects, and the sober reason of both nations, would make it acceptable to both. The trifling expense of reprinting it ought not to be considered a moment. Mr. Gallatin could have it translated into French, and suffer it to get abroad in Europe without either avowal or disavowal. But it would be useful to print some copies of an appendix, containing all the documents referred to, to be preserved in libraries, and to facilitate to the present and future writers of history, the acquisition of the materials which test the truth it contains.

I sincerely congratulate you on the peace, and, more especially on the eclat with which the war was closed. The affair of New Orleans was fraught with useful lessons to ourselves, our enemies, and our friends, and will powerfully influence our future relations with the nations of Europe. It will show them we mean to take no part in their wars, and count no odds when engaged in our own. I presume that, having spared to the pride of England her formal acknowledgment of the atrocity of impressment in an article of the treaty, she will concur in a convention for relinquishing it. Without this, she must understand that the present is but a truce, determinable on the first act of impressment of an American citizen, committed by any officer of hers. Would it not be better that this convention should be a separate act, unconnected with any treaty of commerce, and made an indispensable preliminary to all other treaty? If blended with a treaty of commerce

she will make it the price of injurious concessions. Indeed, we are infinitely better without such treaties with any nation. We cannot too distinctly detach ourselves from the European system, which is essentially belligerent, nor too sedulously cultivate an American system, essentially pacific. But if we go into commercial treaties at all, they should be with all, at the same time, with whom we have important commercial relations. France, Spain, Portugal, Holland, Denmark, Sweden, Russia, all should proceed *pari passu*. Our ministers marching in phalanx on the same line, and intercommunicating freely, each will be supported by the weight of the whole mass, and the facility with which the other nations will agree to equal terms of intercourse, will discountenance the selfish higglings of England, or justify our rejection of them. Perhaps, with all of them, it would be best to have but the single article *gentis amicissimæ*, leaving everything else to the usages and courtesies of civilized nations. But all these things will occur to yourself, with their counter-consideration.

Mr. Smith wrote to me on the transportation of the library, and, particularly, that it is submitted to your direction. He mentioned, also, that Dougherty would be engaged to superintend it. No one will more carefully and faithfully execute all those duties which would belong to a wagon master. But it requires a character acquainted with books, to receive the library. I am now employing as many hours of every day as my strength will permit, in arranging the books, and putting every one in its place on the shelves, corresponding with its order on the catalogue, and shall have them numbered correspondently. This operation will employ me a considerable time yet. Then I should wish a competent agent to attend, and, with the catalogue in his hand, see that every book is on the shelves, and have their lids nailed on, one by one, as he proceeds. This would take such a person about two days; after which, Dougherty's business would be the mere mechanical removal, at convenience. I enclose you a letter from Mr. Milligan, offering his service, which would not cost more than eight or ten days' reasonable compensation. This is necessary for my safety and your satisfaction, as a just caution for the public. You know that there are persons, both in and out of the public councils, who will seize every occasion of imputation on

either of us, the more difficult to be repelled in this case, in which a negative could not be proved. If you approve of it, therefore, as soon as I am through the review, I will give notice to Mr. Milligan, or any other person you will name, to come on immediately. Indeed it would be well worth while to add to his duty, that of covering the books with a little paper, (the good bindings, at least,) and filling the vacancies of the presses with paper parings, to be brought from Washington. This would add little more to the time, as he could carry on both operations at once.

Accept the assurance of my constant and affectionate friendship and respect.

TO ALEXANDER J. DALLAS. J. MSS.

(SECRETARY OF THE TREASURY.)

MONTICELLO Apr. 18. 1815

DEAR SIR,—Your favor of Feb. 21. was received in due time. I thought it a duty to spare you the trouble of reading an useless answer, and have therefore delayed acknoleging it until now. Not having revised the library for many years, I expected that books would be missing without being able to conjecture how many, and that in that case a deduction should be made for the deficient volumes. I have gone through a rigorous review of them, and find indeed some missing, which were in the Catalogue, on which the estimate and price has been made; but that considerably more both in number and value had been omitted by oversight in copying that catalogue from the original one which was done two years ago. I have not thought it right to withdraw these from the library, so that the whole delivered exceeds on the principles of the estimate, the sum appropriated, and of course there is no ground for any deduction. The books being now all ready for delivery, and their removal actually commenced, I may with propriety now receive the payment. Entirely unacquainted as I am with the forms established at the treasury for the security of the public I must only say what I wish, and so far as it may be inconsistent with the necessary forms, you will have the goodness to correct me and inform me what is necessary. If my conven-

ience can be so far consulted, I would request payments to be made

	Dollars	
To William Short of Philadelphia of	10,500	In bills of such of the specified denominations & places of paiment as they shall chuse
To John Barnes of Georgetown of	4,870	
To myself.....	8,580	To be inclosed to me by mail.
	23,950	

In 82. notes of 100. D. each and 19. of 20. D. each, payable in Richmond, for which last sum I inclose my receipt, and I forward to Mr. Short and Mr. Barnes orders on the Treasurer for the sums to be paid them for which they will give acquittals. Should these papers be deficient in form, I will, at a moment's warning send on any others in whatever form shall be necessary. Should it be requisite that the whole should be payable at one and the same place, then Washington would be the most convenient for the whole. As I wait only the completion of the delivery of all the books to set out on a journey of considerable absence and urgency, it would be a great favor to me if the sum which I ask to be remitted to myself, could be sent by as early a mail as the convenience of the Treasury will admit. I pray you to accept my friendly and respectful salutations.

TO DAVID BARROW. J. MSS.

MONTICELLO, May 1, 1815.

SIR,—I have duly received your favor of March 20th, and am truly thankful for the favorable sentiments expressed in it towards myself. If, in the course of my life, it has been in any degree useful to the cause of humanity, the fact itself bears its full reward. The particular subject of the pamphlet you enclosed me was one of early and tender consideration with me, and had I continued in the councils of my own State, it should never have been out of sight. The only practicable plan I could ever

devise is stated under the 14th quaere of the Notes on Virginia, and it is still the one most sound in my judgment. Unhappily it is a case for which both parties require long and difficult preparation. The mind of the master is to be apprized by reflection, and strengthened by the energies of conscience, against the obstacles of self interest to an acquiescence in the rights of others; that of the slave is to be prepared by instruction and habit for self government, and for the honest pursuits of industry and social duty. Both of these courses of preparation require time, and the former must precede the latter. Some progress is sensibly made in it; yet not so much as I had hoped and expected. But it will yield in time to temperate and steady pursuit, to the enlargement of the human mind, and its advancement in science. We are not in a world ungoverned by the laws and the power of a superior agent. Our efforts are in his hand, and directed by it; and he will give them their effect in his own time. Where the disease is most deeply seated, there it will be slowest in eradication. In the northern States it was merely superficial, and easily corrected. In the southern it is incorporated with the whole system, and requires time, patience, and perseverance in the curative process. That it may finally be effected, and its progress hastened, will be the last and fondest prayer of him who now salutes you with respect and consideration.

TO W. H. TORRANCE. J. MSS.

MONTICELLO, June 11, 1815.

SIR,—I received a few days ago your favor of May 5th, stating a question on a law of the State of Georgia which suspends judgments for a limited time, and asking my opinion whether it may be valid under the inhibition of our constitution to pass laws impairing the obligations of contracts. It is more than forty years since I have quitted the practice of the law, and been engaged in vocations which furnished little occasion of preserving a familiarity with that science. I am far, therefore, from being qualified to decide on the problems it presents, and certainly not disposed to obtrude in a case where gentlemen have

been consulted of the first qualifications, and of actual and daily familiarity with the subject, especially too in a question on the law of another State. We have in this State a law resembling in some degree that you quote, suspending executions until a year after the treaty of peace; but no question under it has been raised before the courts. It is also, I believe, expected that when this shall expire, in consideration of the absolute impossibility of procuring coin to satisfy judgments, a law will be passed, similar to that passed in England, on suspending the cash payments of their bank, that provided that on refusal by a party to receive notes of the Bank of England in any case either of past or future contracts, the judgment should be suspended during the continuance of that act, bearing, however, legal interest. They seemed to consider that it was not this law which changed the conditions of the contract, but the circumstances which had arisen, and had rendered its literal execution impossible; by the disappearance of the metallic medium stipulated by the contract, that the parties not concurring in a reasonable and just accommodation, it became the duty of the legislature to arbitrate between them; and that less restrained than the Duke of Venice by the letter of decree, they were free to adjudge to Shylock a reasonable equivalent. And I believe that in our States this umpirage of the legislatures has been generally interposed in cases where a literal execution of contract has, by a change of circumstances, become impossible, or, if enforced, would produce a disproportion between the subject of the contract and its price, which the parties did not contemplate at the time of the contract.

The second question, whether the judges are invested with exclusive authority to decide on the constitutionality of a law, has been heretofore a subject of consideration with me in the exercise of official duties. Certainly there is not a word in the constitution which has given that power to them more than to the executive or legislative branches. Questions of property, of character and of crime being ascribed to the judges, through a definite course of legal proceeding, laws involving such questions belong, of course, to them; and as they decide on them ultimately and without appeal, they of course decide *for themselves*. The constitutional validity of the law or laws again prescribing

executive action, and to be administed by that branch ultimately and without appeal, the executive must decide for *themselves* also, whether, under the constitution, they are valid or not. So also as to laws governing the proceedings of the legislature, that body must judge *for itself* the constitutionality of the law, and equally without appeal or control from its co-ordinate branches. And, in general, that branch which is to act ultimately, and without appeal, on any law, is the rightful expositor of the validity of the law, uncontrolled by the opinions of the other co-ordinate authorities. It may be said that contradictory decisions may arise in such case, and produce inconvenience. This is possible, and is a necessary failing in all human proceedings. Yet the prudence of the public functionaries, and authority of public opinion, will generally produce accommodation. Such an instance of difference occurred between the judges of England (in the time of Lord Holt) and the House of Commons, but the prudence of those bodies prevented inconvenience from it. So in the cases of Duane and of William Smith of South Carolina, whose characters of citizenship stood precisely on the same ground, the judges in a question of meum and tuum which came before them, decided that Duane was not a citizen; and in a question of membership, the House of Representatives, under the same words of the same provision, adjudged William Smith to be a citizen. Yet no inconvenience has ensued from these contradictory decisions. This is what I believe myself to be sound. But there is another opinion entertained by some men of such judgment and information as to lessen my confidence in my own. That is, that the legislature alone is the exclusive expounder of the sense of the constitution, in every part of it whatever. And they allege in its support, that this branch has authority to impeach and punish a member of either of the others acting contrary to its declaration of the sense of the constitution. It may indeed be answered, that an act may still be valid although the party is punished for it, right or wrong. However, this opinion which ascribes exclusive exposition to the legislature, merits respect for its safety, there being in the body of the nation a control over them, which, if expressed by rejection on the subsequent exercise of their elective franchise, enlists public opinion against their exposition, and encourages a

judge or executive on a future occasion to adhere to their former opinion. Between these two doctrines, every one has a right to choose, and I know of no third meriting any respect.

I have thus, Sir, frankly, without the honor of your acquaintance, confided to you my opinion; trusting assuredly that no use will be made of it which shall commit me to the contentions of the newspapers. From that field of disquietude my age asks exemption, and permission to enjoy the privileged tranquillity of a private and unmeddling citizen. In this confidence accept the assurances of my respect and consideration.

TO THOMAS LEIPER. J. MSS.

MONTICELLO, June 12, 1815.

DEAR SIR,—A journey soon after the receipt of your favor of April the 17th, and an absence from home of some continuance, have prevented my earlier acknowledgment of it. In that came safely my letter of January the 2d, 1814. In our principles of government we differ not at all; nor in the general object and tenor of political measures. We concur in considering the government of England as totally without morality, insolent beyond bearing, inflated with vanity and ambition, aiming at the exclusive dominion of the sea, lost in corruption, of deep-rooted hatred towards us, hostile to liberty wherever it endeavors to show its head, and the eternal disturber of the peace of the world. In our estimate of Bonaparte, I suspect we differ. I view him as a political engine only, and a very wicked one; you, I believe, as both political and religious, and obeying, as an instrument, an unseen hand. I still deprecate his becoming sole lord of the continent of Europe, which he would have been, had he reached in triumph the gates of St. Petersburg. The establishment in our day of another Roman empire, spreading vassalage and depravity over the face of the globe, is not, I hope, within the purposes of Heaven. Nor does the return of Bonaparte give me pleasure unmixed; I see in his expulsion of the Bourbons, a valuable lesson to the world, as showing that its ancient dynasties may be changed for their misrule. Should the allied powers presume to

dictate a ruler and government to France, and follow the example he had set of parcelling and usurping to themselves their neighbor nations, I hope he will give them another lesson in vindication of the rights of independence and self-government, which himself had heretofore so much abused, and that in this contest he will wear down the maritime power of England to limitable and safe dimensions. So far, good. It cannot be denied, on the other hand, that his successful perversion of the force (committed to him for vindicating the rights and liberties of his country) to usurp its government, and to enchain it under an hereditary despotism, is of baneful effect in encouraging future usurpations, and deterring those under oppression from rising to redress themselves. His restless spirit leaves no hope of peace to the world; and his hatred of us is only a little less than that he bears to England, and England to us. Our form of government is odious to him, as a standing contrast between republican and despotic rule; and as much from that hatred, as from ignorance in political economy, he had excluded intercourse between us and his people, by prohibiting the only articles they wanted from us, that is, cotton and tobacco. Whether the war we have had with England, and the achievements of that war, and the hope that we may become his instruments and partisans against that enemy, may induce him, in future, to tolerate our commercial intercourse with his people, is still to be seen. For my part, I wish that all nations may recover and retain their independence; that those which are overgrown may not advance beyond safe measures of power, that a salutary balance may be ever maintained among nations, and that our peace, commerce, and friendship, may be sought and cultivated by all. It is our business to manufacture for ourselves whatever we can, to keep our markets open for what we can spare or want; and the less we have to do with the amities or enmities of Europe, the better. Not in our day, but at no distant one, we may shake a rod over the heads of all, which may make the stoutest of them tremble. But I hope our wisdom will grow with our power, and teach us, that the less we use our power, the greater it will be.

The federal misrepresentation of my sentiments, which occasioned my former letter to you, was gross enough; but that and

all others are exceeded by the impudence and falsehood of the printed extract you sent me from Ralph's paper. That a continuance of the embargo for two months longer would have prevented our war; that the non-importation law which succeeded it was a wise and powerful measure, I have constantly maintained. My friendship for Mr. Madison, my confidence in his wisdom and virtue, and my approbation of all his measures, and especially of his taking up at length the gauntlet against England, is known to all with whom I have ever conversed or corresponded on these measures. The word *federal*, or its synonyma *lie*, may therefore be written under every word of Mr. Ralph's paragraph. I have ransacked my memory to recollect any incident which might have given countenance to any particle of it, but I find none. For if you will except the bringing into power and importance those who were enemies to himself as well as to the principles of republican government, I do not recollect a single measure of the President which I have not approved. Of those under him, and of some very near him, there have been many acts of which we have all disapproved, and he more than we. We have at times dissented from the measures, and lamented the dilatoriness of Congress. I recollect an instance the first winter of the war, when, from sloth of proceedings, an embargo was permitted to run through the winter, while the enemy could not cruise, nor consequently restrain the exportation of our whole produce, and was taken off in the spring, as soon as they could resume their stations. But this procrastination is unavoidable. How can expedition be expected from a body which we have saddled with an hundred lawyers, whose trade is talking? But lies, to sow division among us, is so stale an artifice of the federal prints, and are so well understood, that they need neither contradiction nor explanation. As to myself, my confidence in the wisdom and integrity of the administration is so entire, that I scarcely notice what is passing, and have almost ceased to read newspapers. Mine remain in our post office a week or ten days, sometimes, unasked for. I find more amusement in studies to which I was always more attached, and from which I was dragged by the events of the times in which I have happened to live.

I rejoice exceedingly that our war with England was single-

handed. In that of the Revolution, we had France, Spain, and Holland on our side, and the credit of its success was given to them. On the late occasion, unprepared and unexpecting war, we were compelled to declare it, and to receive the attack of England, just issuing from a general war, fully armed, and freed from all other enemies, and have not only made her sick of it, but glad to prevent, by peace, the capture of her adjacent possessions, which one or two campaigns more would infallibly have made ours. She has found that we can do her more injury than any other enemy on earth, and henceforward will better estimate the value of our peace. But whether her government has power, in opposition to the aristocracy of her navy, to restrain their piracies within the limits of national rights, may well be doubted. I pray, therefore, for peace, as best for all the world, best for us, and best for me, who have already lived to see three wars, and now pant for nothing more than to be permitted to depart in peace. That you also, who have longer to live, may continue to enjoy this blessing with health and prosperity, through as long a life as you desire, is the prayer of yours affectionately.

P. S. June the 14th.—Before I had sent my letter to the post office, I received the new treaty of the allied powers, declaring that the French nation shall not have Bonaparte, and shall have Louis XVIII. for their ruler. They are all then as great rascals as Bonaparte himself. While he was in the wrong, I wished him exactly as much success as would answer our purposes, and no more. Now that they are wrong and he in the right, he shall have all my prayers for success, and that he may dethrone every man of them.

TO PHILLIP MAZZEI. J. MSS.

MONTICELLO Aug. 9 15.

MY DEAR FRIEND,—Your letter of Sep. 24. came inclosed to me in one of Octob. 20. from Mr. Warden, which did not get to my hands until the 15th of the last month. How the present answer will get to you I do not yet know but I shall confide it to the Secre-

tary of State, to be forwarded with his despatches either to Paris or Leghorn.

My letter of Dc. 29. 13. stated to you the circumstances, both here and abroad, which rendered a remittance of the price of your lots impracticable. The money might have been invested in the government loans, but the principal would then have been payable only at the end of a long term of years. It might have been vested in the stock of some of our banks; but besides their daily fluctuations in value the banks had indulged themselves in such extravagant emissions of their paper notes that it was obvious they must be on the verge of bankruptcy; and accordingly, within a very few months every bank in the US. stopt the payment of cash for their own notes, have never since resumed it, and everyone is satisfied they never can pay them. So that with all the indulgencies of time which has been given them their insolvency is notorious. There remained then only the resource of placing it on interest in private hands. This the circumstances of the country rendered impracticable but in the usual way of repaiments by annual instalments. We were then under the blockade of the enemy, and an embargo of our own, the sale of produce was as absolutely null, as you remember it in the revolutionary war, and the prospect of peace thought to be distant. Under these difficulties therefore I really thought it safest for you to retain the price in my own hands, stating at the same time in my letter of Dec. 19. 13. that the sum being considerable, it's repayment would re-

quire a delay of one or two years from the time you should give notice that you preferred placing it there rather than here. The distressing injury which every individual sustained during the war by the entire loss of the produce of their farms for want of a market, the expences of the war, and great advance of price on all foreign articles, have left us in so exhausted a state, that immediate paiments are known to be impossible. I am sorry therefore, my dear friend, that the remittances must of necessity be delayed so much beyond your wish; and that you must make up your account to receive one moiety only the next year, and the other the year after, according to the former advice. This you may count on; and if bills on London will be negociable with you, that mode will be without difficulty. Through Paris it would not be so easy. We are ignorant with which of these powers you now have either peace or war.

Our commissioners in London are endeavouring by a convention with England to put an end to their impressment of our seamen. If they succeed it is probable we may continue in peace. All things here are going on quietly, except that we are in a great crisis as to our circulating medium. A parcel of mushroom banks have set up in every state, have filled the country with their notes, and have thereby banished all our specie. A twelvemonth ago they all declared they could not pay cash for their own notes, and notwithstanding this act of bankruptcy, this trash has of necessity been passing among us, because we have no other medium of exchange, and is

still taken and passed from hand to hand, as you remember the old continental money to have been in the revolutionary war; every one getting rid of it as quickly as he can, by laying it out in property of any sort at double, treble and manifold higher prices. It was this which procured the extravagant price for your lots, and in this paper the payment was made. A general crush is daily expected when this trash will be lost in the hands of the holders. This will take place the moment some specie returns among us, or so soon as the government will issue bills of circulation. The little they have issued is greatly sought after, and a premium given for them which is rising fast.

In Europe you are all at war again. No man more severely condemned Bonaparte than myself during his former career, for his unprincipled enterprises on the liberty of his own country, and the independence of others. But the allies having now taken up his pursuits, and he arrayed himself on the legitimate side, I also am changed as to him. He is now fighting for the independance of nations, of which his whole life hitherto had been a continued violation, and he has now my prayers as sincerely for success as he had before for his overthrow. He has promised a free government to his own country, and to respect the rights of others; and altho' his former conduct does not inspire entire faith in his promises; yet we had better take the chance of his word for doing right, than the certainty of the wrong which his adversaries avow.

My health continues firm ; and I am sorry to learn that yours is not good. But your prudence and temperance may yet give you many years, and that they may be years of health and happiness is the sincere prayer of yours ever affectionately.

TO JOHN ADAMS. J. MSS.

MONTICELLO, August 10, 1815.

DEAR SIR,—The simultaneous movements in our correspondence have been remarkable on several occasions. It would seem as if the state of the air, or state of the times, or some other unknown cause, produced a sympathetic effect on our mutual recollections. I had sat down to answer your letters of June the 19th, 20th and 22d, with pen, ink and paper before me, when I received from our mail that of July the 30th. You ask information on the subject of Camus. All I recollect of him is, that he was one of the deputies sent to arrest Dumourier at the head of his army, who were, however, themselves arrested by Dumourier, and long detained as prisoners. I presume, therefore, he was a Jacobin. You will find his character in the most excellent revolutionary history of Toulongeon. I believe, also, he may be the same person who has given us a translation of Aristotle's Natural History, from the Greek into French. Of his report to the National Institute on the subject of the Bollandists, your letter gives me the first information. I had supposed them defunct with the society of Jesuits, of which they were ; and

that their works, although above ground, were, from their bulk and insignificance, as effectually entombed on their shelves, as if in the graves of their authors. Fifty-two volumes in folio, of the *acta sanctorum*, in dog-Latin, would be a formidable enterprise to the most laborious German. I expect, with you, they are the most enormous mass of lies, frauds, hypocrisy and imposture, that was ever heaped together on this globe. By what chemical process M. Camus supposed that an extract of truth could be obtained from such a farrago of falsehood, I must leave to the chemists and moralists of the age to divine.

On the subject of the history of the American Revolution, you ask who shall write it? Who can write it? And who will ever be able to write it? Nobody; except merely its external facts; all its councils, designs and discussions having been conducted by Congress with closed doors, and no members, as far as I know, having even made notes of them. These, which are the life and soul of history, must forever be unknown. Botta, as you observe, has put his own speculations and reasonings into the mouths of persons whom he names, but who, you and I know, never made such speeches. In this he has followed the example of the ancients, who made their great men deliver long speeches, all of them in the same style, and in that of the author himself. The work is nevertheless a good one, more judicious, more chaste, more classical, and more true than the party diatribe of Marshall. Its greatest fault is in having taken too much from him. I possessed the work, and

often recurred to considerable portions of it, although I never read it through. But a very judicious and well-informed neighbor of mine went through it with great attention, and spoke very highly of it. I have said that no member of the old Congress, as far as I knew, made notes of the discussion. I did not know of the speeches you mention of Dickinson and Witherspoon. But on the questions of Independence, and on the two articles of Confederation respecting taxes and votings, I took minutes of the heads of the arguments. On the first, I threw all into one mass, without ascribing to the speakers their respective arguments; pretty much in the manner of Hume's summary digests of the reasonings in parliament for and against a measure. On the last, I stated the heads of the arguments used by each speaker. But the whole of my notes on the question of Independence does not occupy more than five pages, such as of this letter; and on the other questions, two such sheets. They have never been communicated to any one. Do you know that there exists in manuscript the ablest work of this kind ever yet executed, of the debates of the constitutional convention of Philadelphia in 1788? The whole of everything said and done there was taken down by Mr. Madison, with a labor and exactness beyond comprehension.

I presume that our correspondence has been observed at the post offices, and thus has attracted notice. Would you believe, that a printer has had the effrontery to propose to me the letting him publish it? These people think they have a right to

everything, however secret or sacred. I had not before heard of the Boston pamphlet with Priestley's letters and mine.

At length Bonaparte has got on the right side of a question. From the time of his entering the legislative hall to his retreat to Elba, no man has execrated him more than myself. I will not except even the members of the Essex Junto; although for very different reasons; I, because he was warring against the liberty of his own country, and independence of others; they, because he was the enemy of England, the Pope, and the Inquisition. But at length, and as far as we can judge, he seems to have become the choice of his nation. At least, he is defending the cause of his nation, and that of all mankind, the rights of every people to independence and self-government. He and the allies have now changed sides. They are parcelling out among themselves Poland, Belgium, Saxony, Italy, dictating a ruler and government to France, and looking askance at our republic, the splendid libel on their governments, and he is fighting for the principles of national independence, of which his whole life hitherto has been a continued violation. He has promised a free government to his own country, and to respect the rights of others; and although his former conduct inspires little confidence in his promises, yet we had better take the chance of his word for doing right, than the certainty of the wrong which his adversaries are doing and avowing. If they succeed, ours is only the boon of the Cyclops to Ulysses, of being the last devoured.

Present me affectionately and respectfully to Mrs. Adams, and Heaven give you both as much more of life as you wish, and bless it with health and happiness.

P. S. August the 11th.—I had finished my letter yesterday, and this morning receive the news of Bonaparte's second abdication. Very well. For him personally, I have no feeling but reprobation. The representatives of the nation have deposed him. They have taken the allies at their word, that they had no object in the war but his removal. The nation is now free to give itself a good government, either with or without a Bourbon; and France unsubdued, will still be a bridle on the enterprises of the combined powers, and a bulwark to others.

TO SPENCER ROANE. J. MSS.

MONTICELLO, October 12, 1815.

DEAR SIR,—I received in a letter from Colonel Monroe the enclosed paper communicated, as he said, with your permission, and even with a wish to know my sentiments on the important question it discusses. It is now more than forty years since I have ceased to be habitually conversant with legal questions; and my pursuits through that period have seldom required or permitted a renewal of my former familiarity with them. My ideas at present, therefore, on such questions, have no claim to respect but such as might be yielded to the common auditors of a law argument.

I well knew that in certain federal cases the laws of the United States had given to a foreign party, whether plaintiff or defendant, a right to carry his cause into the federal court; but I did not know that where he had himself elected the State judicature,

he could, after an unfavorable decision there, remove his case to the federal court, and thus take the benefit of two chances where others have but one; nor that the right of entertaining the question in this case had been exercised or claimed by the federal judiciary after it had been postponed on the party's first election. His failure, too, to place on the record the particular ground which might give jurisdiction to the federal court, appears to me an additional objection of great weight. The question is of the first importance. The removal of it seems to be out of the analogies which guide the two governments on their separate tracts, and claims the solemn attention of both judicatures, and of the nation itself. I should fear to make up a final opinion on it, until I could see as able a development of the grounds of the federal claim as that which I have now read against it. I confess myself unable to foresee what those grounds would be. The paper enclosed must call them forth, and silence them too, unless they are beyond my ken. I am glad, therefore, that the claim is arrested, and made the subject of special and mature deliberation. I hope our courts will never countenance the sweeping pretensions which have been set up under the words "general defence and public welfare." These words only express the motives which induced the Convention to give to the ordinary legislature certain specified powers which they enumerate, and which they thought might be trusted to the ordinary legislature, and not to give them the unspecified also; or why any specification? They could not be so awkward in language as to mean, as we say, "all and some." And should this construction prevail, all limits to the federal government are done away. This opinion, formed on the first rise of the question, I have never seen reason to change, whether in or out of power; but, on the contrary, find it strengthened and confirmed by five and twenty years of additional reflection and experience: and any countenance given to it by any regular organ of the government, I should consider more ominous than anything which has yet occurred.

I am sensible how much these slight observations, on a question which you have so profoundly considered, need apology. They must find this in my zeal for the administration of our government according to its true spirit, federal as well as republi-

can, and in my respect for any wish which you might be supposed to entertain for opinions of so little value. I salute you with sincere and high respect and esteem.

TO DR. BENJAMIN WATERHOUSE. J. MSS.

MONTICELLO Oct. 13. 15.

DEAR SIR,—I was highly gratified with the receipt of your letter of Sep. 1. by Genl. and Mrs. Dearborne; and by the evidence it furnished me of your bearing up with firmness and perseverance against the persecutions of your enemies, religious, political and professional. These last I suppose have not yet forgiven you the introduction of vaccination and annihilation of the great variolous field of profit to them: and none of them pardon the proof you have established that the condition of man may be meliorated, if not *infinitely*, as enthusiasm alone pretends, yet *indefinitely*, as bigots alone can doubt. In lieu of these enmities you have the blessings of all the friends of human happiness, for this great peril from which they are rescued.

I have read with pleasure the orations of Mr. Holmes & Mr. Austin. From the former we always expect what is good; and the latter has by this specimen taught us to expect the same in future from him. Both have set the valuable example of quitting the beaten ground of the revolutionary war, and making the present state of things the subject of annual animadversion and instruction. A copious one it will be and highly useful if properly improved. Cobbet's address would of itself have mortified and humbled the Cossac priests; but brother Jonathan has pointed his arrow to the hearts of the worst of them. These reverend leaders of the Hartford nation it seems then are now falling together about religion, of which they have not one real principle in their hearts. Like bawds, religion becomes to them a refuge from the despair of their loathsome vices. They seek in it only an oblivion of the disgrace with which they have loaded themselves, in their political ravings, and of their mortification at the ridiculous issue of their Hartford convention. No event, more than this, has shewn the placid character of our constitution.

Under any other their treasons would have been punished by the halter. We let them live as laughing stocks for the world, and punish them by the torment of eternal contempt. The emigrations you mention from the Eastern states are what I have long counted on. The religious & political tyranny of those in power with you, cannot fail to drive the oppressed to milder associations of men, where freedom of mind is allowed in fact as well as in pretence. The subject of their present clawings and caterwaulings is not without it's interest to rational men. The priests have so disfigured the simple religion of Jesus that no one who reads the sophistications they have engrafted on it, from the jargon of Plato, of Aristotle & other mystics, would conceive these could have been fathered on the sublime preacher of the sermon on the mount. Yet, knowing the importance of names they have assumed that of Christians, while they are mere Platonists, or any thing rather than disciples of Jesus. One of these parties beginning now to strip off these meretricious trappings their followers may take courage to make thorough work, and restore to us the figure in it's original simplicity and beauty. The effects of this squabble therefore, whether religious or political, cannot fail to be good in some way.

The visit to Monticello, of which you hold up an idea, would be a favor indeed of the first order. I know however the obstacles of age & distance and should therefore set due value on it's vicarious execution, should business or curiosity lead a son of yours to visit this Sodom and Gomorrah of parsons Osgood, Parish & Gardiner. Accept my wishes for your health and happiness, and the assurance of my great esteem & respect.

END OF VOLUME IX.

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